

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-THIRD DAY — MONDAY, MAY 4, 2009

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

The roll of the house was called and a quorum was announced present (Record 498).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Solomons; Vaught.

Absent — Oliveira.

The invocation was offered by Reverend Alan Taylor, pastor, St. John Lutheran Church, Galveston, as follows:

Almighty God, you have given us this good land as our heritage. Grant that we remember your generosity and constantly do your will. Bless our land with honest industry, truthful education, and an honorable way of life. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil course of action. Make us who came from many nations with many different languages a united one. Defend our liberties and graciously regard those who have been set in positions of authority among us—the president of the United States, the governor of this state, and this assembly—that they may be guided by

your Spirit, be high in purpose, wise in counsel, firm in good resolution, and unwavering in duty, and that under them we may be governed quietly and peaceably. Through Jesus Christ, our Lord. Amen.

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

CAPITOL PHYSICIAN

The speaker recognized Representative W. Smith who presented Dr. P. J. Mock of La Porte as the "Doctor for the Day."

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

LEAVES OF ABSENCE GRANTED

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

Vaught on motion of Homer.

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

Solomons on motion of Truitt.

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. 23).

(Kent in the chair)

MESSAGE FROM THE SENATE

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

HR 1761 - ADOPTED (by Pierson)

Representative Pierson moved to suspend all necessary rules to take up and consider at this time **HR 1761**.

The motion prevailed.

The following resolution was laid before the house:

HR 1761, Honoring the contribution to the Texas economy of General Motors and the Arlington Assembly Plant.

HR 1761 was adopted.

On motion of Representative C. Turner, the names of all the members of the house were added to **HR 1761** as signers thereof.

(McClendon in the chair)

CONGRATULATORY AND MEMORIAL CALENDAR

The following congratulatory resolutions were laid before the house:

SCR 61 (Flores - House Sponsor), Honoring Leo Aguirre of Austin for his performance with the New Mexico State University baseball team during the opening series of the 2009 season.

SCR 66 (McClendon - House Sponsor), Commending Tommy Nobis for his achievements in his football career.

HR 981 (by Parker), Recognizing November 2009 as Art Therapy Month.

HR 1561 (by Miklos), Congratulating Jana Hunter-Kovar on her receipt of the 2009 Women in Service and Enterprise Award from Mesquite Social Services.

HR 1563 (by Rodriguez), Honoring Jennifer Atkinson on her selection as a finalist in the H-E-B Excellence in Education Awards.

HR 1564 (by Chavez), Honoring Dr. Kathleen Staudt on her receipt of the 2009 BRAVO Award from the League of Women Voters of El Paso.

HR 1565 (by Branch), Commemorating the 80th anniversary of Woodrow Wilson High School in Dallas.

HR 1568 (by Flynn), Honoring Major General Christopher J. Powers of Austin for his exceptional service to this country.

HR 1569 (by Anderson), Congratulating Corporal Brent Ewing on his receipt of a Distinguished Service Award from the Robinson Police Department.

HR 1570 (by Anderson), Congratulating Ruth Pitts of McLennan Community College for being named a Piper Professor of 2008.

HR 1571 (by Anderson), Congratulating Officer Patrick Carey on his receipt of a Life-Saving Award from the Robinson Police Department.

HR 1572 (by Anderson), Congratulating Fernando and Hortensia Reyna on their 50th wedding anniversary.

HR 1573 (by Anderson), Congratulating Jacob L. Oatman of Waco on attaining the rank of Eagle Scout.

HR 1574 (by Anderson), Congratulating David Johnson of Crawford on becoming an Eagle Scout.

HR 1575 (by Anderson), Congratulating T. J. and Jerrie Lynn Corbitt of Waco on their 50th anniversary.

HR 1577 (by Anderson), Congratulating John Dailey of Lorena on attaining the rank of Eagle Scout.

HR 1578 (by Anderson), Congratulating J. T. and Reba Taylor on their 70th wedding anniversary.

HR 1580 (by Castro), Honoring the Restoration Center in San Antonio.

HR 1581 (by Marquez), Honoring James Stephen DeGroat for his outstanding service as vice president of the El Paso County Hospital District Board of Managers.

HR 1582 (by Marquez), Honoring Edward Hernandez for his commitment to civil rights law in El Paso.

HR 1587 (by Miklos), Recognizing Art Greenhaw for his contributions to Mesquite.

HR 1593 (by Button), Commemorating the 21st anniversary of the establishment of the Sister State relationship between Texas and Taiwan.

HR 1595 (by Sheffield), Congratulating Robert and Jan Elliott of Belton on the occasion of their 50th wedding anniversary.

HR 1596 (by Farabee), Honoring Terry Wolf of Holliday High School on achieving his 500th victory as a baseball coach.

HR 1598 (by Miklos), Honoring Mesquite Police Department officer Doug Boyd for being named 2008 Officer of the Year.

HR 1599 (by Miklos), Honoring Alex Priakos for her service as executive director of Mesquite Social Services.

HR 1600 was withdrawn.

HR 1603 (by Rios Ybarra), Honoring former Kenedy County Sheriff Rafael Cuellar, Jr., for his record of achievement and contributions to the community.

HR 1604 (by Rios Ybarra), Honoring the Dunlap family of La Feria for their contributions to the community.

HR 1605 (by Rios Ybarra), Commending Olga R. Serna of Sarita for her service to her community.

HR 1606 (by Rios Ybarra), Honoring U.S. Coast Guard Petty Officer James M. Russell for his exemplary rescue efforts during Hurricane Ike.

HR 1608 (by Rios Ybarra), Recognizing La Feria city commissioner John Hernandez for his contributions to his community and his country.

HR 1609 (by Hughes), Congratulating Jerry and Beth Scoggins of Mineola on their 50th wedding anniversary.

HR 1610 (by Hughes), Congratulating Bennie and Carolyn Blakey of Mineola on their 50th wedding anniversary.

HR 1612 (by Dunnam), Commending Tommy Takyi-Micah for his service as a legislative assistant.

HR 1614 (by Dutton), Congratulating Horace and Mattie Johnson of Houston on their 50th wedding anniversary.

HR 1615 (by Guillen), Congratulating Lionel and Sylvia Pena of Edinburg on their 50th wedding anniversary and on their many accomplishments.

HR 1616 was withdrawn.

HR 1617 (by Anchia), Congratulating Ron Kirk on his confirmation as the first African American United States Trade Representative.

HR 1619 (by Anchia), Honoring UT Southwestern Medical Center on its selection as the top medical school in the country for Hispanic students by Hispanic Business magazine.

HR 1620 (by Gattis), Commemorating the 100th anniversary of the founding of Jarrell.

HR 1621 (by Gattis), Honoring Leander ISD, Round Rock ISD, the Cedar Park, Leander, and Round Rock police departments, and the Williamson County Sheriff's Office for their contributions to Hurricane Ike evacuees.

HR 1625 was withdrawn.

HR 1626 (by Marquez), Recognizing James N. Valenti for his achievements as chief executive officer of Thomason Hospital in El Paso.

HR 1628 (by Marquez), Honoring Blanca Landeros and Eugene Flournoy for their work with the Treatment Resources for Youth program at Aliviane, Incorporated, in El Paso.

HR 1630 (by Alvarado), Honoring Michael Jeffrey Bosworth II on his graduation from the U.S. Naval Academy.

HR 1631 (by Allen), Commemorating the 40th anniversary of the founding of the City of Prairie View.

HR 1632 (by C. Howard), Congratulating the band of Fort Settlement Middle School in Sugar Land on its receipt of the 2009 Sudler Silver Cup from the John Philip Sousa Foundation.

HR 1633 was withdrawn.

HR 1634 (by Flynn), Congratulating K. W. and Joyce Shipp of Emory on the occasion of their 50th wedding anniversary.

HR 1635 (by Flynn), Congratulating the Independent Bankers Association of Texas on its 35th anniversary.

HR 1639 was withdrawn.

HR 1640 was withdrawn.

HR 1641 was withdrawn.

HR 1642 was withdrawn.

HR 1643 was withdrawn.

HR 1644 was withdrawn.

HR 1645 was withdrawn.

HR 1646 was withdrawn.

HR 1647 was withdrawn.

HR 1648 was withdrawn.

HR 1649 was withdrawn.

HR 1650 was withdrawn.

HR 1651 was withdrawn.

HR 1652 was withdrawn.

HR 1653 was withdrawn.

HR 1654 was withdrawn.

HR 1655 was withdrawn.

HR 1656 was withdrawn.

HR 1657 was withdrawn.

HR 1658 was withdrawn.

HR 1659 was withdrawn.

HR 1660 was withdrawn.

HR 1661 was withdrawn.

HR 1662 was withdrawn.

HR 1663 was withdrawn.

HR 1664 was withdrawn.

HR 1665 was withdrawn.

HR 1666 was withdrawn.

HR 1667 was withdrawn.

HR 1668 was withdrawn.

HR 1669 was withdrawn.

HR 1670 was withdrawn.

HR 1671 was withdrawn.

HR 1672 was withdrawn.

HR 1673 was withdrawn.

HR 1674 (by Anderson), Congratulating James and Nancy Swor of Waco on their 50th wedding anniversary.

HR 1675 (by Anderson), Congratulating Johnny Mynar of West on his retirement from the McLennan County Sheriff's Office.

HR 1678 (by Anderson), Congratulating Jane and Hubert Z. Shannon of Waco on their 50th wedding anniversary.

HR 1681 (by Anderson), Congratulating Willie and Maxine Hammonds of Waco on their 50th wedding anniversary.

HR 1682 (by Anderson), Congratulating Dr. Debra Bishop on being named the 2008 Hazel Harvey Peace Educator of the Year.

HR 1683 (by Anderson), Congratulating Lewis and Mary Propst of Hewitt on their 50th wedding anniversary.

HR 1684 (by Anderson), Congratulating Robert and Doris Bray of Woodway on their 55th wedding anniversary.

HR 1685 (by Anderson), Congratulating Jack and Cathryn Garrison of Elm Mott on their 70th wedding anniversary.

HR 1686 (by Anderson), Congratulating Melton and Julie Connell of Woodway on their 60th wedding anniversary.

HR 1687 (by Anderson), Congratulating Jimmy and Margie Voiles of Hewitt on their 50th wedding anniversary.

HR 1688 (by Anderson), Congratulating Bill and Stella Ellis of Waco on their 60th wedding anniversary.

HR 1689 was withdrawn.

HR 1690 (by Ortiz), Congratulating Gabi Canales-Morgan and Gordon Morgan of Corpus Christi on the birth of their son, Praxedis Blaine Morgan.

HR 1692 (by Leibowitz), Congratulating Ty Garret Huckaby on becoming an Eagle Scout.

HR 1693 (by Martinez), Commemorating the dedication of the Pete Abrigo Agricultural Science Complex in Weslaco.

HR 1696 (by Merritt), Welcoming members of the Oak Forest Montessori School community in Longview to the State Capitol.

HR 1697 (by Woolley), Honoring Dru Torian for her achievements in competitive tennis.

HCR 194 (by Homer), Commemorating the Rotary District 5830 Conference in Paris, Texas, on May 15 and 16, 2009.

HCR 204 (by Berman), Congratulating the Tyler Morning Telegraph on its 100th anniversary.

HCR 205 (by Peña), Congratulating Dr. Larry N. Balli on the 24th anniversary of his Edinburg dental practice.

The resolutions were adopted.

The following memorial resolutions were laid before the house:

SCR 55 (Naishtat - House Sponsor), In memory of Harvey Carroll "Dulie" Bell, Jr.

HR 1601 (by Solomons), In memory of Timothy William Murphy of Rockport.

HR 1602 (by Gonzales, Peña, Flores, Martinez, and Lucio), Honoring the life of William Dean "Bill" Peisen of McAllen.

HR 1607 (by Rios Ybarra), Honoring the life of Valeria Garcia of Bluetown.

HR 1618 (by Anchia), In memory of Senior Corporal Norman Stephen Smith of the Dallas Police Department.

HR 1636 was withdrawn.

HR 1637 was withdrawn.

HR 1638 was withdrawn.

HR 1676 (by Anderson), In memory of Margaret Gilder Nesbitt of Waco.

HR 1677 (by Anderson), In memory of Nancy Elaine Hagemann Frazier of Waco.

HR 1679 (by Anderson), In memory of John D. Cabaniss of Waco.

HR 1680 was withdrawn.

HR 1694 (by Martinez), In memory of Rosa Maria Pena Marquez of Weslaco.

HCR 195 (by Homer), In memory of Robert Dale House of Johntown.

HCR 196 (by Homer), In memory of Judy Broach Hammonds of Mount Pleasant.

HCR 197 (by Homer), In memory of Paul Alford Middleton of Annona.

HCR 198 (by Homer), In memory of Hubert H. Wiley of Clarksville.

HCR 199 (by Homer), In memory of George I. Richardson of Paris, Texas.

HCR 200 (by Homer), Honoring the life of Gratie Mae Potts of Clarksville.

HCR 201 (by Homer), In memory of Doris L. Joplin of Powderly.

HCR 202 (by Homer), In memory of Dorthy Matthews of Mount Pleasant.

HCR 203 (by Homer), In memory of Lessie Nelson of Mount Vernon.

The resolutions were unanimously adopted by a rising vote.

HR 1765 - ADOPTED
(by Kolkhorst)

Representative Kolkhorst moved to suspend all necessary rules to take up and consider at this time **HR 1765**.

The motion prevailed.

The following resolution was laid before the house:

HR 1765, Honoring the Texas Transportation Institute's Teens in the Driver Seat program.

HR 1765 was adopted.

(P. King in the chair)

**MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 2735 ON THIRD READING
(by Flynn)**

HB 2735, A bill to be entitled An Act relating to the continuation and functions of the Credit Union Department and the Credit Union Commission.

HB 2735 was passed by (Record 499): 133 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dunnam; Eiland; Eissler; Elkins; England; Farabee; Farias; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent, Excused — Solomons; Vaught.

Absent — Crossover; Dukes; Dutton; Edwards; Farrar; Heflin; Laubenberg; Martinez Fischer; Naishtat; Oliveira; Paxton; Rodriguez; Villarreal.

STATEMENTS OF VOTE

When Record No. 499 was taken, I was in the house but away from my desk. I would have voted yes.

Crossover

When Record No. 499 was taken, I was in the house but away from my desk. I would have voted yes.

Dukes

When Record No. 499 was taken, I was in the house but away from my desk. I would have voted yes.

Edwards

When Record No. 499 was taken, I was in the house but away from my desk. I would have voted yes.

Paxton

(Speaker in the chair)

LEAVE OF ABSENCE GRANTED

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

Martinez Fischer on motion of Gutierrez.

HR 1633 - ADOPTED (by Rose)

Representative Rose moved to suspend all necessary rules to take up and consider at this time **HR 1633**.

The motion prevailed.

The following resolution was laid before the house:

HR 1633, Honoring J. David Bamberger of Blanco County for his outstanding contributions to the cause of nature conservancy and commemorating the 40th anniversary of the establishment of the Bamberger Ranch.

HR 1633 was adopted.

HB 806 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative Gallego called up with senate amendments for consideration at this time,

HB 806, A bill to be entitled An Act relating to health benefit plan coverage for certain prosthetic devices, orthotic devices, and related services.

Representative Gallego moved to concur in the senate amendments to **HB 806**.

The motion to concur in the senate amendments to **HB 806** prevailed by (Record 500): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds;

Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Martinez Fischer; Solomons; Vaught.

Absent — Craddick; Deshotel; Dutton; Farrar; Keffer; Oliveira.

STATEMENT OF VOTE

When Record No. 500 was taken, I was in the house but away from my desk. I would have voted yes.

Craddick

Senate Committee Substitute

CSHB 806, A bill to be entitled An Act relating to health benefit plan coverage for certain prosthetic devices, orthotic devices, and related services.

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

SECTION 1. Subtitle E, Title 8, Insurance Code, is amended by adding Chapter 1371 to read as follows:

CHAPTER 1371. COVERAGE FOR CERTAIN PROSTHETIC DEVICES, ORTHOTIC DEVICES, AND RELATED SERVICES

Sec. 1371.001. DEFINITIONS. In this chapter:

(1) "Enrollee" means an individual entitled to coverage under a health benefit plan.

(2) "Orthotic device" means a custom-fitted or custom-fabricated medical device that is applied to a part of the human body to correct a deformity, improve function, or relieve symptoms of a disease.

(3) "Prosthetic device" means an artificial device designed to replace, wholly or partly, an arm or leg.

Sec. 1371.002. APPLICABILITY OF CHAPTER. (a) This chapter applies only to a health benefit plan, including a small employer health benefit plan written under Chapter 1501 or coverage provided by a health group cooperative under Subchapter B of that chapter, that provides benefits for medical or surgical expenses incurred as a result of a health condition, accident, or sickness, including an individual, group, blanket, or franchise insurance policy or insurance agreement, a group hospital service contract, or an individual or group evidence of coverage or similar coverage document that is offered by:

(1) an insurance company;

(2) a group hospital service corporation operating under Chapter 842;

(3) a fraternal benefit society operating under Chapter 885;

(4) a stipulated premium company operating under Chapter 884;

(5) a reciprocal exchange operating under Chapter 942;

(6) a Lloyd's plan operating under Chapter 941;

(7) a health maintenance organization operating under Chapter 843;
(8) a multiple employer welfare arrangement that holds a certificate of authority under Chapter 846; or

(9) an approved nonprofit health corporation that holds a certificate of authority under Chapter 844.

(b) Notwithstanding any provision in Chapter 1551, 1575, 1579, or 1601 or any other law, this chapter applies to:

(1) a basic coverage plan under Chapter 1551;

(2) a basic plan under Chapter 1575;

(3) a primary care coverage plan under Chapter 1579; and

(4) basic coverage under Chapter 1601.

Sec. 1371.003. REQUIRED COVERAGE FOR PROSTHETIC DEVICES, ORTHOTIC DEVICES, AND RELATED SERVICES. (a) A health benefit plan must provide coverage for prosthetic devices, orthotic devices, and professional services related to the fitting and use of those devices that equals the coverage provided under federal laws for health insurance for the aged and disabled under Sections 1832, 1833, and 1834, Social Security Act (42 U.S.C. Sections 1395k, 1395l, and 1395m), and 42 C.F.R. Sections 410.100, 414.202, 414.210, and 414.228, as applicable.

(b) Covered benefits under this chapter are limited to the most appropriate model of prosthetic device or orthotic device that adequately meets the medical needs of the enrollee as determined by the enrollee's treating physician or podiatrist and prosthetist or orthotist, as applicable.

(c) Subject to applicable copayments and deductibles, the repair and replacement of a prosthetic device or orthotic device is a covered benefit under this chapter unless the repair or replacement is necessitated by misuse or loss by the enrollee.

(d) Coverage required under this section:

(1) must be provided in a manner determined to be appropriate in consultation with the treating physician or podiatrist and prosthetist or orthotist, as applicable, and the enrollee;

(2) may be subject to annual deductibles, copayments, and coinsurance that are consistent with annual deductibles, copayments, and coinsurance required for other coverage under the health benefit plan; and

(3) may not be subject to annual dollar limits.

(e) Covered benefits under this chapter may be provided by a pharmacy that has employees who are qualified under the Medicare system and applicable Medicaid regulations to service and bill for orthotic services. This chapter does not preclude a pharmacy from being reimbursed by a health benefit plan for the provision of orthotic services.

Sec. 1371.004. PREAUTHORIZATION. A health benefit plan may require prior authorization for a prosthetic device or an orthotic device in the same manner that the health benefit plan requires prior authorization for any other covered benefit.

Sec. 1371.005. MANAGED CARE PLAN. A health benefit plan provider may require that, if coverage is provided through a managed care plan, the benefits mandated under this chapter are covered benefits only if the prosthetic devices or orthotic devices are provided by a vendor or a provider, and related services are rendered by a provider, that contracts with or is designated by the health benefit plan provider. If the health benefit plan provider provides in-network and out-of-network services, the coverage for prosthetic devices or orthotic devices provided through out-of-network services must be comparable to that provided through in-network services.

SECTION 2. Chapter 1371, Insurance Code, as added by this Act, applies only to a health benefit plan that is delivered, issued for delivery, or renewed on or after January 1, 2010. A health benefit plan that is delivered, issued for delivery, or renewed before January 1, 2010, is covered by the law in effect at the time the plan was delivered, issued for delivery, or renewed, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2009.

HB 2433 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative W. Smith called up with senate amendments for consideration at this time,

HB 2433, A bill to be entitled An Act relating to the powers of certain freight rail districts.

Representative W. Smith moved to concur in the senate amendments to **HB 2433**.

The motion to concur in the senate amendments to **HB 2433** prevailed by (Record 501): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Berman; Bohac; Bolton; Bonnen; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

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

Absent, Excused — Martinez Fischer; Solomons; Vaught.

Absent — Branch; Callegari; Deshotel; Dutton; Farrar; Hughes; Miller, S.; Oliveira; Paxton.

STATEMENT OF VOTE

When Record No. 501 was taken, I was in the house but away from my desk. I would have voted yes.

Paxton

Senate Committee Substitute

CSHB 2433, A bill to be entitled An Act relating to the powers of certain freight rail districts.

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

SECTION 1. Section 171.053, Transportation Code, is amended to read as follows:

Sec. 171.053. INTERMUNICIPAL COMMUTER RAIL DISTRICT POWERS. The governing bodies of the county or counties and of the most populous municipality in the most populous county may provide that the district may exercise the powers of an intermunicipal commuter rail district created under Article 6550c-1, Revised Statutes, including the powers related to a commuter rail facility and other types of passenger rail services, including intercity rail services, by specifying in the concurrent order or ordinance creating the district that those powers may be exercised by the district.

SECTION 2. Subchapter F, Chapter 171, Transportation Code, is amended by adding Section 171.256 to read as follows:

Sec. 171.256. LOCAL GOVERNMENT FINANCING. (a) Section 8(d), Article 6550c-1, Revised Statutes, relating to the limit on payments made by a local government does not apply to a district to which Section 171.053 applies.

(b) A district to which Section 171.053 applies may use money paid to the district by a local government outside the territory of the local government if the money is used for a public purpose of the local government.

(c) A district to which Section 171.053 applies may pledge money paid to the district by a local government to secure the payment of a district debt.

SECTION 3. This Act takes effect September 1, 2009.

MAJOR STATE CALENDAR (consideration continued)

HB 3391 ON THIRD READING (by Harper-Brown, Homer, Rose, et al.)

HB 3391, A bill to be entitled An Act relating to the continuation and functions of the Parks and Wildlife Department; changing the elements of an offense.

Amendment No. 1

Representative Menendez offered the following amendment to **HB 3391**:

Amend **HB 3391** (House Committee Report) on page 3, after line 1, by inserting the following:

(c) The Parks and Wildlife Department shall implement the pilot program established under Section 12.1045, Parks and Wildlife Code, as added by this section, only if sufficient funds are available and have been allocated for that purpose.

Amendment No. 1 was adopted.

Amendment No. 2

Representative W. Smith offered the following amendment to **HB 3391**:

Amend **HB 3391** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 62.014, Parks and Wildlife Code, is amended by adding Subsection (n) to read as follows:

(n) A person who is a member of the United States armed forces on active duty or an honorably discharged veteran of those forces is exempt from any requirement to complete a hunter education course under this section.

Amendment No. 2 was adopted.

HB 3391, as amended, was passed by (Record 502): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Martinez Fischer; Solomons; Vaught.

Absent — Brown, B.; Deshotel; Dutton; Farrar; Hernandez; Lucio; Oliveira; Paxton; Rose.

STATEMENT OF VOTE

When Record No. 502 was taken, I was in the house but away from my desk. I would have voted yes.

Paxton

When Record No. 502 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

LEAVE OF ABSENCE GRANTED

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

Deshotel on motion of Peña.

(Oliveira now present)

HB 3689 ON THIRD READING (by McClendon, Kolkhorst, Isett, and Madden)

HB 3689, A bill to be entitled An Act relating to the functions and continuation of the Texas Youth Commission and the Texas Juvenile Probation Commission and to the functions of the Office of Independent Ombudsman for the Texas Youth Commission.

HB 3689 was passed by (Record 503): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Martinez Fischer; Solomons; Vaught.

Absent — Dutton; Farrar; Hernandez; Lucio; Paxton.

STATEMENT OF VOTE

When Record No. 503 was taken, I was in the house but away from my desk. I would have voted yes.

Paxton

(Bohac in the chair)

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

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

**HB 2230 ON THIRD READING
(by Parker and Peña)**

HB 2230, A bill to be entitled An Act relating to liability for interest if land designated for agricultural use for ad valorem tax purposes is sold or diverted to a nonagricultural use.

LEAVE OF ABSENCE GRANTED

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

Hilderbran on motion of Driver.

**PROVIDING FOR A CONGRATULATORY
AND MEMORIAL CALENDAR**

Representative McClendon moved to set a congratulatory and memorial calendar for 9 a.m. Thursday, May 7.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Zerwas on motion of S. Turner.

HB 2230 - (consideration continued)

(Solomons now present)

Amendment No. 1

Representative Villarreal offered the following amendment to **HB 2230**:

Amend **HB 2230** on third reading by adding the following appropriately numbered SECTION to the bill:

SECTION _____. The changes in law made by this Act do not apply to land described by Section 1-d-1, Article VIII, Texas Constitution.

(Martinez Fischer now present)

Amendment No. 1 was withdrawn.

(Hilderbran now present)

HB 2230 was passed by (Record 504): 109 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Alvarado; Anchia; Anderson; Aycock; Berman; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Driver; Dunnam; Edwards; Eiland; Eissler; Elkins; England; Farabee; Fletcher; Flores; Flynn; Frost; Gattis; Geren; Gonzales; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hilderbran; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jones; Keffer; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Lewis; Madden; Maldonado; Marquez; Martinez; McCall; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Taylor; Truitt; Turner, C.; Veasey; Vo; Walle; Weber; Woolley.

Nays — Allen; Alonzo; Burnam; Castro; Chavez; Cohen; Davis, Y.; Dukes; Dutton; Farias; Farrar; Gallego; Giddings; Gonzalez Toureilles; Hartnett; Herrero; Hodge; Jackson; Kent; Leibowitz; Mallory Caraway; Martinez Fischer; McClendon; Naishtat; Olivo; Rodriguez; Smithee; Swinford; Thibaut; Thompson; Turner, S.; Villarreal.

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

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hernandez; Hochberg; King, S.; Lucio.

STATEMENTS OF VOTE

When Record No. 504 was taken, I was temporarily out of the house chamber. I would have voted no.

Hochberg

When Record No. 504 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Environmental Regulation, upon lunch recess today, Desk 26, for a formal meeting, to consider pending business.

Defense and Veterans' Affairs, upon lunch recess today, Desk 76, for a formal meeting, to consider pending business.

Corrections, upon lunch recess today, Desk 60, for a formal meeting, to consider pending business.

RECESS

At 12:05 p.m., the chair announced that the house would stand recessed until 1 p.m. today.

AFTERNOON SESSION

The house met at 1 p.m. and was called to order by Representative Parker.

(Speaker in the chair)

HB 4136 ON THIRD READING

(by Rios Ybarra, et al.)

HB 4136, A bill to be entitled An Act relating to sealing court records containing medical information for children who are victims of certain offenses.

HB 4136 was passed by (Record 505): 122 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Darby; Davis, J.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Strama; Swinford; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Alonzo; Callegari; Castro; Chavez; Corte; Crownover; Davis, Y.; Fletcher; Harper-Brown; Heflin; Hilderbran; Hughes; King, P.; King, S.; Laubenberg; Mallory Caraway; Miklos; Miller, S.; Morrison; Paxton; Riddle; Smithee; Taylor; Villarreal.

STATEMENTS OF VOTE

When Record No. 505 was taken, I was temporarily out of the house chamber. I would have voted yes.

Callegari

When Record No. 505 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 505 was taken, I was temporarily out of the house chamber. I would have voted yes.

Fletcher

When Record No. 505 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

When Record No. 505 was taken, I was in the house but away from my desk. I would have voted yes.

S. Miller

When Record No. 505 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 505 was taken, I was in the house but away from my desk. I would have voted yes.

Paxton

When Record No. 505 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

Riddle

When Record No. 505 was taken, I was in the house but away from my desk. I would have voted yes.

Taylor

HB 4294 ON THIRD READING

(by Branch, Eissler, Strama, Oliveira, Aycock, et al.)

HB 4294, A bill to be entitled An Act relating to textbooks, electronic textbooks, instructional material, and technological equipment in public schools.

Amendment No. 1

Representative Naishtat offered the following amendment to **HB 4294**:

Amend **HB 4294** (second reading engrossment) as follows:

(1) On page 2, line 9, strike "and".

(2) On page 2, between lines 9 and 10, insert the following:

(2) must be verified by the commissioner as being accessible to blind and visually impaired students; and

(3) On page 2, line 10, strike "(2)" and substitute "(3)".

(4) On page 2, line 12, strike "(c)(2)" and substitute "(c)(3)".

Amendment No. 1 was adopted.

HB 4294, as amended, was passed by (Record 506): 129 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Darby; Davis, J.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Thibaut; Thompson; Truitt; Turner, C.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Alonzo; Callegari; Corte; Crownover; Davis, Y.; Gonzalez Tourelles; Harper-Brown; King, P.; King, S.; Laubenberg; Mallory Caraway; Miller, S.; Morrison; Paxton; Peña; Taylor; Turner, S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 506. I intended to vote no.

Anderson

When Record No. 506 was taken, I was temporarily out of the house chamber. I would have voted yes.

Callegari

When Record No. 506 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

I was shown voting yes on Record No. 506. I intended to vote no.

Fletcher

When Record No. 506 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

When Record No. 506 was taken, I was in the house but away from my desk. I would have voted yes.

S. Miller

When Record No. 506 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 506 was taken, I was in the house but away from my desk. I would have voted yes.

Paxton

I was shown voting yes on Record No. 506. I intended to vote no.

Riddle

When Record No. 506 was taken, I was in the house but away from my desk. I would have voted yes.

Taylor

HB 3543 ON THIRD READING
(by Lucio, Creighton, Herrero, et al.)

HB 3543, A bill to be entitled An Act relating to the creation of a Don't Mess with Texas Water program to prevent illegal dumping that affects the surface waters of this state.

HB 3543 was passed by (Record 507): 131 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Darby; Davis, J.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Alonzo; Callegari; Corte; Crownover; Davis, Y.; Harper-Brown; Heflin; King, P.; King, S.; Laubenberg; Mallory Caraway; Miller, S.; Morrison; Paxton; Taylor.

STATEMENTS OF VOTE

When Record No. 507 was taken, I was temporarily out of the house chamber. I would have voted yes.

Callegari

When Record No. 507 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 507 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

When Record No. 507 was taken, I was in the house but away from my desk. I would have voted yes.

S. Miller

When Record No. 507 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 507 was taken, I was in the house but away from my desk. I would have voted yes.

Taylor

HB 3751 ON THIRD READING (by Gallego and Moody)

HB 3751, A bill to be entitled An Act relating to the conditions of bond for a defendant charged with committing certain offenses against a child and to the denial of bail pending trial with respect to certain defendants who violate those conditions.

HB 3751 was passed by (Record 508): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.;

Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Callegari; Davis, Y.; Fletcher; Hochberg; King, S.; Miller, S.; Morrison.

STATEMENTS OF VOTE

When Record No. 508 was taken, I was temporarily out of the house chamber. I would have voted yes.

Callegari

When Record No. 508 was taken, I was temporarily out of the house chamber. I would have voted yes.

Fletcher

When Record No. 508 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

When Record No. 508 was taken, I was in the house but away from my desk. I would have voted yes.

S. Miller

When Record No. 508 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

HB 4247 ON THIRD READING (by Keffer)

HB 4247, A bill to be entitled An Act relating to the use of the proceeds of cash deposits filed with the Railroad Commission of Texas by certain persons under the jurisdiction of the commission and deposited in the oil-field cleanup fund.

HB 4247 was passed by (Record 509): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Anderson; Callegari; Corte; Hochberg; King, S.; Miller, S.

STATEMENTS OF VOTE

When Record No. 509 was taken, I was temporarily out of the house chamber. I would have voted yes.

Callegari

When Record No. 509 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

HB 2972 ON THIRD READING (by Coleman)

HB 2972, A bill to be entitled An Act relating to the definition of a controlling person with respect to the operation of certain assisted living facilities.

HB 2972 was passed by (Record 510): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales;

Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Callegari; Corte; Hochberg; Miller, S.

STATEMENTS OF VOTE

When Record No. 510 was taken, I was temporarily out of the house chamber. I would have voted yes.

Callegari

When Record No. 510 was taken, I was in the house but away from my desk. I would have voted yes.

S. Miller

HB 3006 ON THIRD READING (by Coleman and Alvarado)

HB 3006, A bill to be entitled An Act relating to the authority of certain municipalities to impose term limits on the members of their governing bodies.

HB 3006 was passed by (Record 511): 131 Yeas, 8 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Jackson; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kuempel; Laubenberg; Legler; Leibowitz; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla;

Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Nays — Cook; Geren; Hardcastle; Howard, C.; Jones; Kolkhorst; Lewis; Sheffield.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Callegari; Corte; Hilderbran; Hochberg; Mallory Caraway; Miller, S.; Riddle.

STATEMENTS OF VOTE

When Record No. 511 was taken, I was temporarily out of the house chamber. I would have voted yes.

Callegari

I was shown voting no on Record No. 511. I intended to vote yes.

Geren

I was shown voting no on Record No. 511. I intended to vote yes.

Kolkhorst

When Record No. 511 was taken, I was in the house but away from my desk. I would have voted present, not voting.

Mallory Caraway

When Record No. 511 was taken, I was in the house but away from my desk. I would have voted yes.

S. Miller

When Record No. 511 was taken, I was temporarily out of the house chamber. I was at the Texas Police Officers' Memorial Service. I would have voted no.

Riddle

HB 2952 ON THIRD READING (by Eiland)

HB 2952, A bill to be entitled An Act relating to venue for the prosecution and punishment of certain offenses committed on the boundaries of two or more counties.

HB 2952 was passed by (Record 512): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Castro; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton;

Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Callegari; Chavez; Corte; Hilderbran; Hochberg; Mallory Caraway; Miller, S.

STATEMENTS OF VOTE

When Record No. 512 was taken, I was temporarily out of the house chamber. I would have voted yes.

Callegari

When Record No. 512 was taken, I was in the house but away from my desk. I would have voted yes.

Chavez

When Record No. 512 was taken, I was in the house but away from my desk. I would have voted yes.

S. Miller

HB 2531 ON THIRD READING

(by Chavez, Pitts, Harless, Castro, Leibowitz, et al.)

HB 2531, A bill to be entitled An Act relating to a reporting requirement regarding the Texas emerging technology fund.

HB 2531 was passed by (Record 513): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias;

Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hodge; Homer; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Creighton; Hilderbran; Hochberg; Hopson.

HB 1020 ON THIRD READING
(by Deshotel, Isett, Anderson, and Hodge)

HB 1020, A bill to be entitled An Act relating to the use, exhibition, or possession of a firearm by public school students participating in certain school-sponsored programs and activities sponsored or supported by the Parks and Wildlife Department.

HB 1020 was passed by (Record 514): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hochberg; Martinez; Oliveira.

HB 2500 ON THIRD READING
(by Dunnam)

HB 2500, A bill to be entitled An Act relating to the governor's flag.

HB 2500 was passed by (Record 515): 127 Yeas, 14 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Cohen; Coleman; Crabb; Craddick; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar; Fletcher; Flores; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Keffer; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Woolley.

Nays — Brown, F.; Christian; Cook; Creighton; Elkins; Flynn; Hardcastle; Harper-Brown; Jackson; Jones; Lewis; Miller, S.; Shelton; Weber.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Corte; Hochberg; Hunter; Kent; King, S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 515. I intended to vote no.

Harless

When Record No. 515 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 515 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

I was shown voting yes on Record No. 515. I intended to vote no.

Truitt

HB 2435 ON THIRD READING
(by Phillips)

HB 2435, A bill to be entitled An Act relating to the location of an arbitration trial.

HB 2435 was passed by (Record 516): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Bolton; Corte; Driver; Hilderbran; Hochberg; Hunter.

HB 1007 ON THIRD READING
(by Allen, Y. Davis, and Chavez)

HB 1007, A bill to be entitled An Act relating to the expiration and abandonment of a stored value card.

HB 1007 was passed by (Record 517): 93 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Harless; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Jackson; Keffer; Kent; Kolkhorst; Leibowitz; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Patrick; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Villarreal; Vo; Walle.

Nays — Anderson; Berman; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Eissler; Elkins; Flynn; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Howard, C.; Isett; Jones; King, P.; King, T.; Kleinschmidt; Kuempel; Laubenberg; Legler; Lewis; Miller, D.; Miller, S.; Morrison; Otto; Parker; Paxton; Phillips; Sheffield; Shelton; Taylor; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Corte; Fletcher; Hilderbran; Hochberg; King, S.; Riddle; Veasey.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 517. I intended to vote no.

Aycock

When Record No. 517 was taken, I was temporarily out of the house chamber. I would have voted no.

Fletcher

I was shown voting yes on Record No. 517. I intended to vote no.

Harless

I was shown voting no on Record No. 517. I intended to vote yes.

C. Howard

When Record No. 517 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted no.

S. King

I was shown voting no on Record No. 517. I intended to vote yes.

Otto

When Record No. 517 was taken, I was temporarily out of the house chamber. I was at the Texas Police Officers' Memorial Service. I would have voted yes.

Riddle

I was shown voting yes on Record No. 517. I intended to vote no.

Truitt

HB 3228 ON THIRD READING
(by Madden)

HB 3228, A bill to be entitled An Act relating to the offense of prohibited substances and items in correctional facilities.

HB 3228 was passed by (Record 518): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Corte; Hilderbran; Hochberg; Turner, S.

HB 882 ON THIRD READING
(by Rodriguez, Thompson, Leibowitz, and Naishtat)

HB 882, A bill to be entitled An Act relating to a residential tenant's right of restoration of utilities after certain unlawful conduct.

HB 882 was passed by (Record 519): 130 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Nays — Anderson; Bonnen; Crabb; Flynn; Harper-Brown; Laubenberg; Miller, D.; Miller, S.; Paxton; Phillips.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Burnam; Corte; Hilderbran; Hochberg; Howard, C.; Hunter.

STATEMENT OF VOTE

When Record No. 519 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

HB 2556 ON THIRD READING (by Solomons)

HB 2556, A bill to be entitled An Act relating to the rights and duties of the parties to a motor vehicle retail installment contract or a conditional delivery agreement involving the sale or conditional delivery of a motor vehicle.

HB 2556 was passed by (Record 520): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent;

King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Bonnen; Corte; Hilderbran; Hochberg.

HB 3838 ON THIRD READING
(by Hilderbran and S. Turner)

HB 3838, A bill to be entitled An Act relating to powers and duties of the Office of Public Utility Counsel to represent residential and small commercial consumers in certain water or sewer utility service matters before the Texas Commission on Environmental Quality.

HB 3838 was passed by (Record 521): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Button; Hochberg; Peña; Thibaut.

HB 1362 ON THIRD READING
(by **Gutierrez**)

HB 1362, A bill to be entitled An Act relating to the pilot program for reporting of methicillin-resistant *Staphylococcus aureus* infections.

HB 1362 was passed by (Record 522): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hochberg; Morrison.

HB 3827 ON THIRD READING
(by **Hancock**)

HB 3827, A bill to be entitled An Act relating to the delivery of regulated substances into underground storage tanks; providing a penalty.

HB 3827 was passed by (Record 523): 142 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings;

Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Nays — Thompson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hochberg; Jackson; King, S.

STATEMENT OF VOTE

When Record No. 523 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

HB 1630 ON THIRD READING

(by Naishtat)

HB 1630, A bill to be entitled An Act relating to the eligibility of certain individuals for child health plan coverage or medical assistance on placement, detention, or commitment in and release from certain facilities or other settings.

HB 1630 was passed by (Record 524): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody;

Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Harper-Brown; Hochberg.

HB 3945 ON THIRD READING

(by Orr)

HB 3945, A bill to be entitled An Act relating to a title insurance company affidavit as a release of lien.

HB 3945 was passed by (Record 525): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddock; Creighton; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

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

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Crownover; Hochberg.

HB 1054 ON THIRD READING

(by Mallory Caraway, et al.)

HB 1054, A bill to be entitled An Act relating to the enforcement of the motor vehicle safety responsibility law.

HB 1054 was passed by (Record 526): 120 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Berman; Bohac; Bolton; Brown, B.; Burnam; Button; Castro; Chavez; Chisum; Cohen; Coleman; Cook; Corte; Craddick; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Leibowitz; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Paxton; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Woolley.

Nays — Anderson; Bonnen; Branch; Brown, F.; Callegari; Christian; Crabb; Creighton; Elkins; Fletcher; Flynn; Harper-Brown; Isett; Legler; Lewis; Miller, S.; Morrison; Parker; Phillips; Riddle; Sheffield; Truitt; Weber.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hochberg; King, S.; Smith, W.

STATEMENTS OF VOTE

I was shown voting no on Record No. 526. I intended to vote yes.

Callegari

When Record No. 526 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted no.

S. King

HB 2165 ON THIRD READING (by Rose, Peña, and Villarreal)

HB 2165, A bill to be entitled An Act relating to the appraisal for ad valorem tax purposes of certain open-space land devoted principally to ecological research.

HB 2165 was passed by (Record 527): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick;

Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Anderson; Flores; Hochberg; Thompson.

STATEMENT OF VOTE

When Record No. 527 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

HB 4002 ON THIRD READING

(by Swinford, McReynolds, Gonzalez Toureilles, Kleinschmidt, and Aycock)

HB 4002, A bill to be entitled An Act relating to the funding of the statewide wildfire protection plan at the Texas Forest Service.

HB 4002 was passed by (Record 528): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddock; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.;

Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

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

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hochberg; Turner, S.

HB 2191 ON THIRD READING

(by Veasey, Pickett, Leibowitz, and Chavez)

HB 2191, A bill to be entitled An Act relating to prohibiting contact between an employee of a facility that serves the elderly or disabled persons, whose criminal history has not been verified, and a patient or resident of the facility.

HB 2191 was passed by (Record 529): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hochberg; Homer.

HB 4043 ON THIRD READING
(by Callegari)

HB 4043, A bill to be entitled An Act relating to notifications to certain purchasers of real property that may be located in an area subject to a certificate of convenience and necessity for water or sewer service.

HB 4043 was passed by (Record 530): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Alvarado; Hochberg; Madden; Woolley.

HB 2386 ON THIRD READING
(by Castro, et al.)

HB 2386, A bill to be entitled An Act relating to the sealing of juvenile records.

HB 2386 was passed by (Record 531): 97 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Berman; Bohac; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Crownover; Darby; Davis, Y.; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hardcastle; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jackson; Jones; Kent; King, P.; King, T.; Kuempel; Leibowitz; Lucio; Madden;

Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Strama; Swinford; Taylor; Thibaut; Thompson; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Woolley.

Nays — Anderson; Aycock; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Cook; Corte; Crabb; Craddick; Creighton; Davis, J.; Driver; Elkins; Fletcher; Flynn; Hamilton; Hancock; Harless; Harper-Brown; Hartnett; Hughes; Keffer; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Miller, D.; Miller, S.; Morrison; Parker; Patrick; Paxton; Phillips; Riddle; Sheffield; Shelton; Smithee; Solomons; Truitt; Weber.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Hochberg; Hunter; King, S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 531. I intended to vote no.

Berman

I was shown voting yes on Record No. 531. I intended to vote no.

Crownover

I was shown voting yes on Record No. 531. I intended to vote no.

Hilderbran

When Record No. 531 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 531 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted no.

S. King

I was shown voting yes on Record No. 531. I intended to vote no.

Taylor

I was shown voting yes on Record No. 531. I intended to vote no.

Woolley

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

SB 1442 ON THIRD READING
(Giddings - House Sponsor)

SB 1442, A bill to be entitled An Act relating to business entities and associations.

Amendment No. 1

Representative Pitts offered the following amendment to **SB 1442**:

Amend **SB 1442** on third reading by inserting the following new SECTION, appropriately numbered, and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 681.170, Business & Commerce Code, is amended to read as follows:

Sec. 681.170. CITY OF MIDLOTHIAN [~~TRADE ZONE CORPORATION~~]. The City of Midlothian [~~Trade Zone Corporation, organized under the laws of this state,~~] may apply for and accept a grant of authority to establish, operate, and maintain:

- (1) a foreign trade zone in Midlothian, Ellis County, adjacent to the port limits of the Dallas-Fort Worth port of entry; and
- (2) other subzones in Ellis County.

Amendment No. 1 was adopted.

SB 1442, as amended, was passed by (Record 532): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycok; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Cohen; Hochberg; Kent.

STATEMENT OF VOTE

When Record No. 532 was taken, I was in the house but away from my desk. I would have voted yes.

Kent

POSTPONED BUSINESS

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

CSHB 469 ON SECOND READING

(by P. King, Anchia, Hughes, Lewis, Strama, et al.)

CSHB 469, A bill to be entitled An Act relating to the establishment of incentives by this state for the implementation of certain projects to capture and sequester in geological formations carbon dioxide that would otherwise be emitted into the atmosphere.

CSHB 469 was read second time on May 2, amendments were offered and disposed of, and **CSHB 469** was postponed until 1 p.m. May 2. Amendment No. 2 was pending at the time of postponement.

CSHB 469 - POINT OF ORDER

Representative S. Turner raised a point of order against further consideration of **CSHB 469** under Rule 8, Section 21 of the House Rules on the grounds that the general appropriations bill has not yet been certified by the comptroller.

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

Representative S. Turner raised a point of order against further consideration of **CSHB 469** on the grounds that it diverts state revenue in violation of Rule 8, Section 21 of the House Rules. Mr. Turner specifically argues that the reduction of the oil production tax rate in the franchise tax from 4.6 percent to 1.15 percent for certain producers and the costs associated with this reduction is a diversion of funds in direct violation of the rule.

Explanation of Rule 8, Section 21. Rule 8, Section 21 is intended to allow biennial appropriations bills that are essential for the operation of state government to pass both houses before other legislation is adopted that would prematurely redirect state money. (See e.g., the explanatory note from the 1983 House Rules noting that this provision was strictly construed by presiding officers to "bar consideration of bills which appropriated, re-appropriated, or transferred funds until after the general appropriations bill has been passed.").

Rule 8, Section 21 is not intended to presumptively delay consideration of every bill that has a cost or a fiscal note since much of that legislation will eventually be funded in the General Appropriations Act ("GAA"). Rather, Rule 8, Sections 21(a) and (b) are intended to substantially delay consideration of only

the narrow class of bills that could pre-empt the GAA by: (1) moving funds outside of the state treasury; or (2) making a dedicated appropriations in a bill other than in a supplemental or general appropriations bill.

In addition to its limited applicability, the rule specifically exempts four types of bills from its provisions, even if they divert money from general government purposes, and those exceptions have existed in the rules since at least 1983. The current rules state:

(e) Subsections (a)-(d) of this section shall not apply to any bills providing for:

- (1) the payment of expenses of the legislature;
- (2) the payment of judgments against the state;
- (3) any emergency matter when requested by the governor in a formal message to the legislature; or
- (4) the reduction of taxes.

See Rule 8, Section 21(e) of the House Rules.

Application of the Rule to CSHB 469. **CSHB 469** authorizes a franchise tax credit for businesses that implement clean energy projects in Texas. Under the bill, the credit is only issued after the business complies with certain conditions and the total amount of the credit is capped at the lesser of 10 percent of the capital cost of the project, or \$100 million. In addition, the bill provides that the franchise tax credit is a credit against any franchise taxes that may be assessed against the income generated by a clean energy project.

CSHB 469 neither transfers revenue nor appropriates money to cover the cost of the franchise tax credit that is authorized under the bill. It simply reduces the amount of currently available state revenue by reducing the tax liabilities of businesses that develop clean energy projects in the state. This reduction does not constitute an appropriation in violation of the rule. (See e.g., 56th Legislature, Regular Session (1959), House Journal, page 561, in which the chair overruled a point of order against a violation of the rule on the grounds that the bill neither used the term "appropriated" nor by its terms actually set aside funds for a particular purpose.)

Secondly, **CSHB 469** is protected by Subsection (e) of the rule because the tax credit that is authorized by the bill constitutes a "reduction of taxes." While the chair can find no precedent that directly construes Rule 8, Section 21(e)(4) or that defines the term "reduction of taxes" as used in the rule, it is clear from the plain meaning of the words that a reduction in taxes, regardless of the method, has the effect of reducing tax liability (i.e., the amount of taxes that a party must pay the state). By its own terms, an authorized tax credit also reduces the amount of money that a party must pay the state. The chair finds that **CSHB 469** is not captured by the rule, and overrules the point of order. This finding is based only on the meaning of the term "reduction of taxes" as contained in the rule.

Accordingly, the point of order is respectfully overruled.

(Branch in the chair)

Amendment No. 3

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

Amend the Solomons amendment to **CSHB 469** (House Committee Report version) as follows:

1) On page 1, line 6 of the amendment, after "PROJECTS.", insert "(a)".

2) On page 1, line 11 of the amendment, after "chapter.", insert the following:

"(b) For purposes of this section, an advanced clean energy project that uses low-sulfur coal shall have an emission level of not more than 0.04 pounds of sulfur dioxide per million British thermal units as determined by a 30 day average."

3) On page 1, line 21 of the amendment, after "this section.", insert the following:

"(j-1) For purposes of subsection (j) of this section, an advanced clean energy project that uses low-sulfur coal shall have an emission level of not more than 0.04 pounds of sulfur dioxide per million British thermal units as determined by a 30 day average."

Amendment No. 3 was adopted.

Amendment No. 2, as amended, was adopted.

Amendment No. 4

Representatives Isett and Villarreal offered the following amendment to **CSHB 469**:

Amend **CSHB 469** (House Committee Printing) as follows:

(1) Add the following SECTIONS, appropriately numbered, and renumber the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 11.31(k), Tax Code, is amended to read as follows:

(k) The Texas Commission on Environmental Quality shall adopt rules establishing a nonexclusive list of facilities, devices, or methods for the control of air, water, or land pollution, which must include:

- (1) coal cleaning or refining facilities;
- (2) atmospheric or pressurized and bubbling or circulating fluidized bed combustion systems and gasification fluidized bed combustion combined cycle systems;
- (3) ultra-supercritical pulverized coal boilers;
- (4) flue gas recirculation components;
- (5) syngas purification systems and gas-cleanup units;
- (6) enhanced heat recovery systems;
- (7) exhaust heat recovery boilers;
- (8) heat recovery steam generators;
- (9) superheaters and evaporators;
- (10) enhanced steam turbine systems;
- (11) methanation;

(12) coal combustion or gasification byproduct and coproduct handling, storage, or treatment facilities;

(13) biomass cofiring storage, distribution, and firing systems;

(14) coal cleaning or drying processes, such as coal drying/moisture reduction, air jiggling, precombustion decarbonization, and coal flow balancing technology;

(15) oxy-fuel combustion technology, amine or chilled ammonia scrubbing, fuel or emission conversion through the use of catalysts, enhanced scrubbing technology, modified combustion technology such as chemical looping, and cryogenic technology;

(16) if a local, state, or federal governmental entity [~~the United States Environmental Protection Agency~~] adopts a final rule or regulation regulating carbon dioxide as a pollutant, property that is used, constructed, acquired, or installed wholly or partly to capture or transport carbon dioxide from an anthropogenic source in this state that is geologically sequestered in this state;

(17) fuel cells generating electricity using hydrogen derived from coal, biomass, petroleum coke, or solid waste; and

(18) any other equipment designed to prevent, capture, abate, or monitor nitrogen oxides, volatile organic compounds, particulate matter, mercury, carbon monoxide, or any criteria pollutant.

SECTION _____. Section 26.045(f), Tax Code, is amended to read as follows:

(f) The Texas Commission on Environmental Quality shall adopt rules establishing a nonexclusive list of facilities, devices, or methods for the control of air, water, or land pollution, which must include:

(1) coal cleaning or refining facilities;

(2) atmospheric or pressurized and bubbling or circulating fluidized bed combustion systems and gasification fluidized bed combustion combined cycle systems;

(3) ultra-supercritical pulverized coal boilers;

(4) flue gas recirculation components;

(5) syngas purification systems and gas-cleanup units;

(6) enhanced heat recovery systems;

(7) exhaust heat recovery boilers;

(8) heat recovery steam generators;

(9) superheaters and evaporators;

(10) enhanced steam turbine systems;

(11) methanation;

(12) coal combustion or gasification byproduct and coproduct handling, storage, or treatment facilities;

(13) biomass cofiring storage, distribution, and firing systems;

(14) coal cleaning or drying processes such as coal drying/moisture reduction, air jiggling, precombustion decarbonization, and coal flow balancing technology;

(15) oxy-fuel combustion technology, amine or chilled ammonia scrubbing, fuel or emission conversion through the use of catalysts, enhanced scrubbing technology, modified combustion technology such as chemical looping, and cryogenic technology;

(16) if a local, state, or federal governmental entity [~~the United States Environmental Protection Agency~~] adopts a final rule or regulation regulating carbon dioxide as a pollutant, property that is used, constructed, acquired, or installed wholly or partly to capture or transport carbon dioxide from an anthropogenic source in this state that is geologically sequestered in this state;

(17) fuel cells generating electricity using hydrogen derived from coal, biomass, petroleum coke, or solid waste; and

(18) any other equipment designed to prevent, capture, abate, or monitor nitrogen oxides, volatile organic compounds, particulate matter, mercury, carbon monoxide, or any criteria pollutant.

SECTION _____. Sections 11.31(k) and 26.045(f), Tax Code, as amended by this Act, apply only to ad valorem taxes imposed for a tax year beginning on or after January 1, 2010.

(2) Strike page 6, line 18, and substitute the following:

SECTION 8. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2009.

(b) Sections 11.31(k) and 26.045(f), Tax Code, as amended by this Act, take effect January 1, 2010.

Amendment No. 5

Representative Isett offered the following amendment to Amendment No. 4:

Amend Amendment No. 4 to **CSHB 469** (house committee printing) by striking "a local" from page 2, line 8 and page 3, line 20.

Add (n) to Section 11.31:

"Notwithstanding the other provisions of this section, a person may not receive an exemption under this section for property described by Subsection (k) (16) unless the property was placed into service after September 1, 2009."

Add (j) to Section 26.045:

"Notwithstanding the other provisions of this section, a person may not receive an exemption under this section for property described by Subsection (k) (16) unless the property was placed into service after September 1, 2009."

Amendment No. 5 was adopted.

Amendment No. 4, as amended, was adopted.

Amendment No. 6

Representative S. Turner offered the following amendment to **CSHB 469**:

Amend **CSHB 469** (House Committee Printing) as follows:

(1) On page 1, line 24, strike "FRANCHISE TAX CREDIT" and substitute "GRANT".

(2) On page 2, line 3, strike "franchise tax credit" and substitute "grant from the Texas Enterprise Fund".

(3) On page 2, line 4, strike "franchise tax credit" and substitute "grant from the Texas Enterprise Fund".

(4) On page 2, line 18, strike "franchise tax credit" and substitute "grant from the Texas Enterprise Fund".

(5) On page 3, line 1, strike "\$100" and substitute "\$50"

(6) Strike page 3, lines 2 through 9, and substitute the following:

(d) This section prevails over any conflicting provision of Section 481.078 or other law. The comptroller is not required to enter into an agreement under Section 481.078(f) before issuing a grant under this section.

Representative P. King moved to table Amendment No. 6.

The motion to table prevailed.

Amendment No. 7

Representative S. Turner offered the following amendment to **CSHB 469**:

Amend **CSHB 469** (House Committee Printing) on page 3, line 1, by striking "\$100" and substituting "\$50".

Representative P. King moved to table Amendment No. 7.

The motion to table prevailed by (Record 533): 95 Yeas, 40 Nays, 2 Present, not voting.

Yeas — Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Brown, B.; Brown, F.; Burnam; Button; Callegari; Chisum; Christian; Cohen; Cook; Corte; Craddock; Creighton; Crownover; Darby; Davis, J.; Driver; Dukes; Edwards; Eissler; Elkins; England; Farabee; Fletcher; Flynn; Frost; Gattis; Gonzalez Toureilles; Guillen; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Herrero; Hilderbran; Hopson; Howard, C.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; McCall; McReynolds; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Orr; Parker; Patrick; Paxton; Phillips; Pickett; Pitts; Rios Ybarra; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Truitt; Turner, C.; Villarreal; Weber; Woolley.

Nays — Allen; Alvarado; Bonnen; Castro; Coleman; Crabb; Davis, Y.; Dunnam; Dutton; Farias; Farrar; Flores; Gallego; Geren; Giddings; Gonzales; Gutierrez; Heflin; Hernandez; Hodge; Howard, D.; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Oliveira; Olivo; Ortiz; Pierson; Quintanilla; Raymond; Riddle; Ritter; Thibaut; Thompson; Turner, S.; Veasey; Vo; Walle.

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

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Zerwas.

Absent — Chavez; Eiland; Harless; Hochberg; Homer; King, S.; Menendez; Morrison; Otto; Peña.

STATEMENTS OF VOTE

When Record No. 533 was taken, I was in the house but away from my desk. I would have voted no.

Chavez

When Record No. 533 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

When Record No. 533 was taken, I was temporarily out of the house chamber. I was at the Texas Peace Officers' Memorial Service. I would have voted yes.

S. King

When Record No. 533 was taken, I was in the house but away from my desk. I would have voted no.

Menendez

Amendment No. 8

Representative Anchia offered the following amendment to **CSHB 469**:

Amend Section 5 of **CSHB 469** by adding (2)(F) to the definition of "Clean Energy Project" in Chapter 120, Natural Resources Code after "project." On line 1 on page 4 and before "(3) Commission" on line 2:

(F) has emission limits in its permit that are below 0.034 lbs per million Btu nitrogen oxides, .016 lbs per million Btu sulfur dioxide, .022 lbs per million Btu particulate matter, and 0.0015 lbs per million Btu volatile organic compounds

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a meeting of the Conference Committee on **SB 1**:

Hochberg on motion of Farabee.

The following member was granted leave of absence temporarily for today to attend a meeting of the Conference Committee on **SB 1**:

Otto on motion of Orr.

CSHB 469 - (consideration continued)**Amendment No. 9**

Representative Thibaut offered the following amendment to Amendment No. 8:

Amend the Anchia amendment to **CSHB 469** by adding the following item to the amendment, appropriately numbered:

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

SECTION _____. The Texas Commission on Environmental Quality may not issue a permit for a coal-fired electric generating facility in a county that is designated as a nonattainment area for a national ambient air quality standard for ozone within the meaning of Section 107(d) of the federal Clean Air Act (42 U.S.C. Section 7407) or is adjacent to such a county unless the facility meets the emissions standards specified by Section 120.001(2)(F), Natural Resources Code, as added by this Act. This section expires September 1, 2011.

Amendment No. 9 - Point of Order

Representative P. King raised a point of order against further consideration of Amendment No. 9 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a meeting of the Conference Committee on **SB 1**:

Pitts on motion of Solomons.

CSHB 469 - (consideration continued)

The point of order was withdrawn.

Amendment No. 9 was withdrawn.

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

Representative Thompson moved to set a local, consent, and resolutions calendar for 10 a.m. Thursday, May 7.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 3:30 p.m. today, in 2W.6, to consider the calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Local and Consent Calendars, 3:30 p.m. today, 2W.6, for a formal meeting.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a meeting of the Conference Committee on **SB 1**:

Morrison on motion of Solomons.

CSHB 469 - (consideration continued)

Amendment No. 8 was adopted.

Amendment No. 10

Representative Strama offered the following amendment to **CSHB 469**:

Amend **CSHB 469** by striking page 6, lines 5 through 14, substituting the following appropriately numbered SECTION, and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 202.0545, Tax Code, is amended by amending Subsections (a), (c), and (f) and adding Subsection (i) to read as follows:

(a) Subject to the limitations provided by this section, ~~[until the later of the seventh anniversary of the date that the comptroller first approves an application for a tax rate reduction under this section or the effective date of a final rule adopted by the United States Environmental Protection Agency regulating carbon dioxide as a pollutant,]~~ the producer of oil recovered through an enhanced oil recovery project that qualifies under Section 202.054 for the recovered oil tax rate provided by Section 202.052(b) is entitled to an additional 50 percent reduction in that tax rate if in the recovery of the oil the enhanced oil recovery project uses carbon dioxide that:

- (1) is captured from an anthropogenic source in this state;
- (2) would otherwise be released into the atmosphere as industrial emissions;
- (3) is measurable at the source of capture; and
- (4) is sequestered in one or more geological formations in this state following the enhanced oil recovery process.

(c) To qualify for the tax rate reduction under this section, the operator must:

(1) apply to the comptroller for the reduction and include with the application any information and documentation that the comptroller may require; ~~[and]~~

(2) apply for a certification from:

(A) the Railroad Commission of Texas, if carbon dioxide used in the project is to be sequestered in an oil or natural gas reservoir;

(B) the Texas Commission on Environmental Quality, if carbon dioxide used in the project is to be sequestered in a geological formation other than an oil or natural gas reservoir; or

(C) both the Railroad Commission of Texas and the Texas Commission on Environmental Quality if both Paragraphs (A) and (B) apply; and

(3) have begun using carbon dioxide that satisfies the criteria of Subsection (a) in an enhanced oil recovery project not later than August 31, 2016.

(f) The comptroller shall approve the application if the operator submits the certification or certifications required by Subsection (c)(2) and if the comptroller determines that the oil is otherwise eligible under this section and the operator meets the requirement specified by Subsection (c)(3).

(i) This section expires August 31, 2039.

Amendment No. 10 was adopted.

Amendment No. 11

Representative Strama offered the following amendment to **CSHB 469**:

Amend **CSHB 469** as follows:

(1) On page 2, between lines 17 and 18, insert the following:

(b-1) The Texas Commission on Environmental Quality shall accept and enforce as a permit condition a voluntary carbon dioxide emission limit used to qualify a project for the franchise tax credit described in Subsection (b).

Amendment No. 11 was adopted.

Amendment No. 12

Representatives Button, Cook, and Hancock offered the following amendment to **CSHB 469**:

Amend **CSHB 469** (House committee report) on page 3, lines 6-9, by striking "The entity designated in the certificate of compliance for the project may assign the franchise tax credit to any other entity that has or acquires an interest in the income generated by the project."

Amendment No. 12 was adopted.

Amendment No. 13

Representative Eiland offered the following amendment to **CSHB 469**:

Amend **CSHB 469** (House Committee Printing) as follows:

(1) On page 2, line 15, between "facility" and "associated", insert "or petroleum coke-fueled chemical manufacturing facility".

(2) On page 2, line 17, between "electricity" and "by", insert "or the manufacturing of chemicals".

(3) On page 3, line 6, between "carbon-fueled" and "process", insert "or petroleum coke-fueled".

(4) On page 3, line 18, between "facility" and "that", insert "or a petroleum coke-fueled chemical manufacturing facility".

(5) On page 3, line 19, between "(A)" and "have", insert "in the case of a carbon-fueled electric generating facility".

(6) On page 3, line 23, between "electricity" and "by", insert "or the manufacturing of chemicals".

Amendment No. 13 - Point of Order

Representative P. King raised a point of order against further consideration of Amendment No. 13 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The chair sustained the point of order.

The ruling precluded further consideration of Amendment No. 13.

CSHB 469, as amended, was passed to engrossment.

HR 1744 - ADOPTED
(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 1744**.

The motion prevailed.

The following resolution was laid before the house:

HR 1744, Commending Dalton Sherman of Dallas for his skill at oratory.

HR 1744 was read and was adopted.

On motion of Representatives Hodge and Alonzo, the names of all the members of the house were added to **HR 1744** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Y. Davis who introduced Dalton Sherman and members of his family.

(Otto now present)

HB 653 ON SECOND READING
(by Bonnen)

HB 653, A bill to be entitled An Act relating to the inclusion on the exterior of an ad valorem tax bill of a statement directing the United States Postal Service to return the bill if it is not deliverable as addressed.

HB 653 was read second time on April 29 and was postponed until 9:07 a.m. today.

Representative Bonnen moved to postpone consideration of **HB 653** until 8:03 a.m. Wednesday, May 6.

The motion prevailed.

HB 1886 ON THIRD READING
(by Miklos)

HB 1886, A bill to be entitled An Act relating to enforcement of a juvenile curfew ordinance.

HB 1886 was read third time on May 1 and failed to pass. The vote was reconsidered later that day, and **HB 1886** was postponed until 10 a.m. today.

Representative Miklos moved to postpone consideration of **HB 1886** until 12:01 a.m. Saturday, December 25, 2010.

The motion prevailed.

CSSB 1373 ON SECOND READING
(Pickett - House Sponsor)

CSSB 1373, A bill to be entitled An Act relating to the operation and continuation of the law authorizing the issuance of oversize or overweight vehicle permits by certain port authorities.

CSSB 1373 was considered in lieu of **CSHB 2117**.

CSSB 1373 was read second time.

Representative Oliveira moved to postpone consideration of **CSSB 1373** until 3:45 p.m. today.

The motion prevailed.

CSHB 1490 ON SECOND READING
(by Driver, Menendez, Guillen, et al.)

CSHB 1490, A bill to be entitled An Act relating to injury leave and related benefits for certain state peace officers injured in the course of performance of duty.

CSHB 1490 was read second time on April 24, postponed until April 27, postponed until April 29, and was again postponed until 10 a.m. today.

Representative Driver moved to postpone consideration of **CSHB 1490** until 10 a.m. Wednesday, May 6.

The motion prevailed.

SB 983 ON SECOND READING
(Rose - House Sponsor)

SB 983, A bill to be entitled An Act relating to providing certain documents and training to children in the conservatorship of the Department of Family and Protective Services.

SB 983 was considered in lieu of **CSHB 705**.

SB 983 was read second time.

SB 983 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE HARPER-BROWN: Mr. Rose, is it the intent of your bill that these departments will help those children to apply for these documents? Because the only concern I have is that if they apply for them themselves, then the child doesn't learn as he times out. I wanted to ensure that what you're trying to do is get these agencies to help them and walk them through this system so that they'd be able to do it themselves, and then, thus, know how to do it in the future.

REPRESENTATIVE ROSE: You described the intent very well. It's important that—and this bill will, for the first time, statutorily require that when these children, young adults, age out of care—that they have these documents, but it is certainly my intent, just like my parents did with me and probably yours with you, that as you get certain things like a social security card, your health insurance, proof of Medicaid—that enrolled, that eligibility—your driver's license or other form of DPS-driven identification, that not only do you get them, but you learn how to operate in that process. That is certainly the intent of this bill.

HARPER-BROWN: And at what age will that be then? Is that when they time out?

ROSE: The age out-of-care will be when they turn 19.

HARPER-BROWN: Nineteen, alright.

REMARKS ORDERED PRINTED

Representative Harper-Brown moved to print remarks between Representative Rose and Representative Harper-Brown.

The motion prevailed.

SB 983 was passed to third reading. (Flynn recorded voting no.)

CSHB 705 - LAID ON THE TABLE SUBJECT TO CALL

Representative Rose moved to lay **CSHB 705** on the table subject to call.

The motion prevailed.

SB 1495 ON SECOND READING (Oliveira - House Sponsor)

SB 1495, A bill to be entitled An Act relating to the taxation of motor fuels; providing penalties.

SB 1495 was considered in lieu of **HB 3900**.

SB 1495 was read second time.

Amendment No. 1

Representative Lucio offered the following amendment to **SB 1495**:

Amend **SB 1495** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 162.104, Tax Code, is amended by adding Subsection (g) to read as follows:

(g) The tax imposed by this subchapter does not apply to the volume of fuel ethanol derived from cellulosic biomass that is blended together with taxable gasoline when the finished product sold or used is clearly identified on the sales invoice as a combination of gasoline and fuel ethanol derived from cellulosic biomass.

Amendment No. 1 was adopted.

(Zerwas now present)

Amendment No. 2

Representatives Aycock and Sheffield offered the following amendment to **SB 1495**:

Amend **SB 1495** by adding the following appropriately numbered SECTIONS to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 162.204(a), Tax Code, is amended to read as follows:

(a) The tax imposed by this subchapter does not apply to:

(1) diesel fuel sold to the United States for its exclusive use, provided that the exemption does not apply to diesel fuel sold or delivered to a person operating under a contract with the United States;

(2) diesel fuel sold to a public school district in this state for the district's exclusive use;

(3) diesel fuel sold to a commercial transportation company or a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, that provides public school transportation services to a school district under Section 34.008, Education Code, and that uses the diesel fuel only to provide those services;

(4) diesel fuel exported by either a licensed supplier or a licensed exporter from this state to any other state, provided that:

(A) for diesel fuel in a situation described by Subsection (d), the bill of lading indicates the destination state and the supplier collects the destination state tax; or

(B) for diesel fuel in a situation described by Subsection (e), the bill of lading indicates the destination state, the diesel fuel is subsequently exported, and the exporter is licensed in the destination state to pay that state's tax and has an exporter's license issued under this subchapter;

(5) diesel fuel moved by truck or railcar between licensed suppliers or licensed permissive suppliers and in which the diesel fuel removed from the first terminal comes to rest in the second terminal, provided that the removal from the second terminal rack is subject to the tax imposed by this subchapter;

(6) diesel fuel delivered or sold into a storage facility of a licensed aviation fuel dealer from which the diesel fuel will be delivered solely into the fuel supply tanks of aircraft or aircraft servicing equipment, or sold from one licensed aviation fuel dealer to another licensed aviation fuel dealer who will deliver the diesel fuel exclusively into the fuel supply tanks of aircraft or aircraft servicing equipment;

(7) diesel fuel exported to a foreign country if the bill of lading indicates the foreign destination and the fuel is actually exported to the foreign country;

(8) dyed diesel fuel sold or delivered by a supplier to another supplier and dyed diesel fuel sold or delivered by a supplier or distributor into the bulk storage facility of a dyed diesel fuel bonded user or to a purchaser who provides a signed statement as provided by Section 162.206;

(9) the volume of water, fuel ethanol, biodiesel, or mixtures thereof that are blended together with taxable diesel fuel when the finished product sold or used is clearly identified on the retail pump, storage tank, and sales invoice as a combination of diesel fuel and water, fuel ethanol, biodiesel, or mixtures thereof;

(10) dyed diesel fuel sold by a supplier or permissive supplier to a distributor, or by a distributor to another distributor;

(11) dyed diesel fuel delivered by a license holder into the fuel supply tanks of railway engines, motorboats, or refrigeration units or other stationary equipment powered by a separate motor from a separate fuel supply tank;

(12) dyed kerosene when delivered by a supplier, distributor, or importer into a storage facility at a retail business from which all deliveries are exclusively for heating, cooking, lighting, or similar nonhighway use; ~~or~~

(13) diesel fuel used by a person, other than a political subdivision, who owns, controls, operates, or manages a commercial motor vehicle as defined by Section 548.001, Transportation Code, if the fuel:

(A) is delivered exclusively into the fuel supply tank of the commercial motor vehicle; and

(B) is used exclusively to transport passengers for compensation or hire between points in this state on a fixed route or schedule; or

(14) diesel fuel sold to a county in this state for the county's exclusive use.

SECTION _____. Sections 162.227(a) and (c), Tax Code, are amended to read as follows:

(a) A license holder may take a credit on a return for the period in which the sale occurred if the license holder paid tax on the purchase of diesel fuel and subsequently resells the diesel fuel without collecting the tax to:

(1) the United States government for its exclusive use, provided that a credit is not allowed for gasoline used by a person operating under a contract with the United States;

(2) a public school district in this state for the district's exclusive use;

(3) an exporter licensed under this subchapter if the seller is a licensed supplier or distributor and the exporter subsequently exports the diesel fuel to another state;

(4) a licensed aviation fuel dealer if the seller is a licensed distributor; ~~or~~

(5) a commercial transportation company or a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, that provides public school transportation services to a school district under Section 34.008, Education Code, and that uses the diesel fuel exclusively to provide those services; or

(6) a county in this state for the county's exclusive use.

(c) A license holder may take a credit on a return for the period in which the purchase occurred, and a person who does not hold a license under this subchapter, other than a license as an aviation fuel dealer, may file a refund claim with the comptroller if the license holder or person paid tax on diesel fuel and the license holder or person:

(1) is the United States government and the diesel fuel is for its exclusive use, provided that a credit or refund is not allowed for diesel fuel used by a license holder or person operating under a contract with the United States;

(2) is a public school district in this state and the diesel fuel is for the district's exclusive use;

(3) is a commercial transportation company that provides public school transportation services to a school district under Section 34.008, Education Code, and the diesel fuel is used exclusively to provide those services; ~~or~~

- (4) is a licensed aviation fuel dealer who delivers the diesel fuel into the fuel supply tanks of aircraft or aircraft servicing equipment; or
 (5) is a county in this state and the diesel fuel is for the county's exclusive use.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Villarreal offered the following amendment to **SB 1495**:

Amend **SB 1495** by adding the following appropriately numbered SECTIONS to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION ____ . Section 162.104(a), Tax Code, is amended to read as follows:

- (a) The tax imposed by this subchapter does not apply to gasoline:
- (1) sold to the United States for its exclusive use, provided that the exemption does not apply with respect to fuel sold or delivered to a person operating under a contract with the United States;
 - (2) sold to a public school district in this state for the district's exclusive use;
 - (3) sold to a commercial transportation company [~~or a metropolitan rapid transit authority operating under Chapter 451, Transportation Code,~~] that provides public school transportation services to a school district under Section 34.008, Education Code, and that uses the gasoline only to provide those services;
 - (4) exported by either a licensed supplier or a licensed exporter from this state to any other state, provided that:
 - (A) for gasoline in a situation described by Subsection (d), the bill of lading indicates the destination state and the supplier collects the destination state tax; or
 - (B) for gasoline in a situation described by Subsection (e), the bill of lading indicates the destination state, the gasoline is subsequently exported, and the exporter is licensed in the destination state to pay that state's tax and has an exporter's license issued under this subchapter;
 - (5) moved by truck or railcar between licensed suppliers or licensed permissive suppliers and in which the gasoline removed from the first terminal comes to rest in the second terminal, provided that the removal from the second terminal rack is subject to the tax imposed by this subchapter;
 - (6) delivered or sold into a storage facility of a licensed aviation fuel dealer from which gasoline will be delivered solely into the fuel supply tanks of aircraft or aircraft servicing equipment, or sold from one licensed aviation fuel dealer to another licensed aviation fuel dealer who will deliver the aviation fuel exclusively into the fuel supply tanks of aircraft or aircraft servicing equipment; ~~or~~
 - (7) exported to a foreign country if the bill of lading indicates the foreign destination and the fuel is actually exported to the foreign country; or

(8) sold to a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, for the authority's exclusive use.

SECTION _____. Section 162.125(a), Tax Code, is amended to read as follows:

(a) A license holder may take a credit on a return for the period in which the sale occurred if the license holder paid tax on the purchase of gasoline and subsequently resells the gasoline without collecting the tax to:

(1) the United States government for its exclusive use, provided that a credit is not allowed for gasoline used by a person operating under contract with the United States;

(2) a public school district in this state for the district's exclusive use;

(3) an exporter licensed under this subchapter if the seller is a licensed supplier or distributor and the exporter subsequently exports the gasoline to another state;

(4) a licensed aviation fuel dealer if the seller is a licensed distributor;
[or]

(5) a commercial transportation company [~~or a metropolitan rapid transit authority operating under Chapter 451, Transportation Code,~~] that provides public school transportation services to a school district under Section 34.008, Education Code, and that uses the gasoline exclusively to provide those services; or

(6) a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, for the authority's exclusive use.

SECTION _____. Section 162.204(a), Tax Code, is amended to read as follows:

(a) The tax imposed by this subchapter does not apply to:

(1) diesel fuel sold to the United States for its exclusive use, provided that the exemption does not apply to diesel fuel sold or delivered to a person operating under a contract with the United States;

(2) diesel fuel sold to a public school district in this state for the district's exclusive use;

(3) diesel fuel sold to a commercial transportation company [~~or a metropolitan rapid transit authority operating under Chapter 451, Transportation Code,~~] that provides public school transportation services to a school district under Section 34.008, Education Code, and that uses the diesel fuel only to provide those services;

(4) diesel fuel exported by either a licensed supplier or a licensed exporter from this state to any other state, provided that:

(A) for diesel fuel in a situation described by Subsection (d), the bill of lading indicates the destination state and the supplier collects the destination state tax; or

(B) for diesel fuel in a situation described by Subsection (e), the bill of lading indicates the destination state, the diesel fuel is subsequently exported, and the exporter is licensed in the destination state to pay that state's tax and has an exporter's license issued under this subchapter;

(5) diesel fuel moved by truck or railcar between licensed suppliers or licensed permissive suppliers and in which the diesel fuel removed from the first terminal comes to rest in the second terminal, provided that the removal from the second terminal rack is subject to the tax imposed by this subchapter;

(6) diesel fuel delivered or sold into a storage facility of a licensed aviation fuel dealer from which the diesel fuel will be delivered solely into the fuel supply tanks of aircraft or aircraft servicing equipment, or sold from one licensed aviation fuel dealer to another licensed aviation fuel dealer who will deliver the diesel fuel exclusively into the fuel supply tanks of aircraft or aircraft servicing equipment;

(7) diesel fuel exported to a foreign country if the bill of lading indicates the foreign destination and the fuel is actually exported to the foreign country;

(8) dyed diesel fuel sold or delivered by a supplier to another supplier and dyed diesel fuel sold or delivered by a supplier or distributor into the bulk storage facility of a dyed diesel fuel bonded user or to a purchaser who provides a signed statement as provided by Section 162.206;

(9) the volume of water, fuel ethanol, biodiesel, or mixtures thereof that are blended together with taxable diesel fuel when the finished product sold or used is clearly identified on the retail pump, storage tank, and sales invoice as a combination of diesel fuel and water, fuel ethanol, biodiesel, or mixtures thereof;

(10) dyed diesel fuel sold by a supplier or permissive supplier to a distributor, or by a distributor to another distributor;

(11) dyed diesel fuel delivered by a license holder into the fuel supply tanks of railway engines, motorboats, or refrigeration units or other stationary equipment powered by a separate motor from a separate fuel supply tank;

(12) dyed kerosene when delivered by a supplier, distributor, or importer into a storage facility at a retail business from which all deliveries are exclusively for heating, cooking, lighting, or similar nonhighway use; ~~or~~

(13) diesel fuel used by a person, other than a political subdivision, who owns, controls, operates, or manages a commercial motor vehicle as defined by Section 548.001, Transportation Code, if the fuel:

(A) is delivered exclusively into the fuel supply tank of the commercial motor vehicle; and

(B) is used exclusively to transport passengers for compensation or hire between points in this state on a fixed route or schedule; or

(14) diesel fuel sold to a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, for the authority's exclusive use.

SECTION _____. Section 162.227(a), Tax Code, is amended to read as follows:

(a) A license holder may take a credit on a return for the period in which the sale occurred if the license holder paid tax on the purchase of diesel fuel and subsequently resells the diesel fuel without collecting the tax to:

(1) the United States government for its exclusive use, provided that a credit is not allowed for gasoline used by a person operating under a contract with the United States;

(2) a public school district in this state for the district's exclusive use;
 (3) an exporter licensed under this subchapter if the seller is a licensed supplier or distributor and the exporter subsequently exports the diesel fuel to another state;

(4) a licensed aviation fuel dealer if the seller is a licensed distributor;
 [or]

(5) a commercial transportation company [~~or a metropolitan rapid transit authority operating under Chapter 451, Transportation Code,~~] that provides public school transportation services to a school district under Section 34.008, Education Code, and that uses the diesel fuel exclusively to provide those services; or

(6) a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, for the authority's exclusive use.

SECTION _____. The heading to Section 162.3021, Tax Code, is amended to read as follows:

Sec. 162.3021. EXEMPTIONS [~~SCHOOL DISTRICT TRANSPORTATION AND COUNTY EXEMPTION~~].

SECTION _____. Section 162.3021, Tax Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) ~~The [Subject to Section 162.3022, the]~~ tax imposed by this subchapter does not apply to the sale of liquefied petroleum gas to a commercial transportation company [~~or a metropolitan rapid transit authority operating under Chapter 451, Transportation Code,~~] that uses the gas exclusively to provide public school transportation services to a school district under Section 34.008, Education Code, or to the use of liquefied petroleum gas by that company for that purpose. A motor vehicle that uses liquefied petroleum gas and that is owned by a commercial transportation company [~~or a metropolitan rapid transit authority operating under Chapter 451, Transportation Code,~~] and used exclusively to provide public school transportation services to a school district under Section 34.008, Education Code, is not required to have a liquefied gas tax decal or a special use liquefied gas tax decal.

(c) The tax imposed by this subchapter does not apply to the sale of liquefied petroleum gas to a metropolitan rapid transit authority operating under Chapter 451, Transportation Code, if the gas is sold for the authority's exclusive use. A motor vehicle that uses liquefied petroleum gas and that is owned by the authority is not required to have a liquefied gas tax decal or a special use liquefied gas tax decal.

SECTION _____. The following are repealed:

- (1) Section 162.1275, Tax Code;
- (2) Section 162.2275, Tax Code; and
- (3) Section 162.3022, Tax Code.

Amendment No. 3 failed of adoption.

Amendment No. 4

Representative Pickett offered the following amendment to **SB 1495**:

Amend **SB 1495** (house committee printing) by adding the following appropriately numbered SECTIONS to read as follows and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 162.113(e), Tax Code, is amended to read as follows:

(e) A licensed distributor or licensed importer who makes timely payments of the gasoline tax imposed under this subchapter is entitled to retain an amount equal to 0.30 [~~1.75~~] percent of the total taxes to be paid to the supplier or permissive supplier to cover administrative expenses.

SECTION _____. Section 162.116(b), Tax Code, is amended to read as follows:

(b) A supplier or permissive supplier that timely pays the tax to this state may deduct from the amount of tax due a collection allowance equal to one-half of one [~~two~~] percent of the amount of tax payable to this state.

SECTION _____. Section 162.119(b), Tax Code, is amended to read as follows:

(b) An importer of gasoline that timely files a return and payment may deduct from the amount of tax payable with the return a collection allowance equal to one-half of one [~~two~~] percent of the amount of tax payable to this state.

SECTION _____. Section 162.127(f), Tax Code, is amended to read as follows:

(f) After examination of the refund claim, the comptroller, before issuing a refund warrant, shall deduct from the amount of the refund the one-half of one [~~two~~] percent deducted originally by the license holder on the first sale or distribution of the gasoline.

SECTION _____. Section 162.214(e), Tax Code, is amended to read as follows:

(e) A licensed distributor or licensed importer who makes timely payments of the diesel fuel tax imposed under this subchapter is entitled to retain an amount equal to 0.30 [~~1.75~~] percent of the total taxes to be paid to the supplier or permissive supplier to cover administrative expenses.

SECTION _____. Section 162.217(b), Tax Code, is amended to read as follows:

(b) A supplier or permissive supplier that timely pays the tax to this state may deduct from the amount of tax due a collection allowance equal to one-half of one [~~two~~] percent of the amount of tax payable to this state.

SECTION _____. Section 162.220(b), Tax Code, is amended to read as follows:

(b) An importer of diesel fuel that timely files a return and payment may deduct from the amount of tax payable with the return a collection allowance equal to one-half of one [~~two~~] percent of the amount of tax payable to this state.

SECTION _____. Section 162.229(f), Tax Code, is amended to read as follows:

(f) After examination of the refund claim, the comptroller, before issuing a refund warrant, shall deduct from the amount of the refund the one-half of one [~~two~~] percent deducted originally by the license holder on the first sale or distribution of the diesel fuel.

SECTION _____. Section 162.308(c), Tax Code, is amended to read as follows:

(c) The tax on one-half of one percent of the taxable gallons of liquefied gas sold in this state shall be allocated to the licensed dealer making the sale for the expense of collecting, accounting for, reporting, and timely remitting the taxes collected and for keeping the records. The allocation allowance shall be deducted by the licensed dealer when paying the tax to this state.

SECTION _____. Section 162.311(c), Tax Code, is amended to read as follows:

(c) A licensed interstate trucker is entitled to a refund of the amount of the liquefied gas tax paid under this subchapter on each gallon of liquefied gas subsequently used outside this state. On verification by the comptroller that the interstate trucker's report was timely filed with all information required, the comptroller shall issue a warrant to the interstate trucker for the amount of the refund less the one-half of one percent deducted originally by the licensed dealer making the sale. An interstate trucker who fails to file an interstate trucker report by the 25th day of the month following the end of a calendar quarter forfeits the right to a refund.

Amendment No. 4 failed of adoption.

SB 1495, as amended, was passed to third reading.

HB 3900 - LAID ON THE TABLE SUBJECT TO CALL

Representative Oliveira moved to lay **HB 3900** on the table subject to call.

The motion prevailed.

(Speaker in the chair)

CSHB 493 ON SECOND READING

(by Zerwas, Moody, Legler, Leibowitz, et al.)

CSHB 493, A bill to be entitled An Act relating to the eligibility for judge-ordered community supervision or for release on parole or to mandatory supervision of a defendant convicted of criminal solicitation of capital murder.

CSHB 493 was read second time on April 20, postponed until April 23, postponed until April 30, and was again postponed until 10 a.m. today.

Representative Zerwas moved to postpone consideration of **CSHB 493** until 10 a.m. Monday, May 11.

The motion prevailed.

CSHB 461 ON SECOND READING
(by Eissler, Chisum, Button, Leibowitz, and Bohac)

CSHB 461, A bill to be entitled An Act relating to the detection and treatment of dyslexia, including the use of certain professional titles by dyslexia practitioners and therapists; providing a criminal penalty.

CSHB 461 was read second time on May 1 and was postponed until 10 a.m. today.

Amendment No. 1

Representative Eissler offered the following amendment to **CSHB 461**:

Amend **CSHB 461** (house committee report) as follows:

(1) Strike page 1, line 11, through page 2, line 5, and substitute the following:

Sec. 403.002. STATE TITLE RECOGNITION STANDARDS. (a) To meet the state dyslexia practitioner title recognition standards, a person must have:

(1) earned at least a bachelor's degree from an accredited public or private institution of higher education;

(2) successfully completed at least 45 hours of course work in multisensory structured language education from a training program that meets the requirements of Section 403.0025;

(3) completed at least 60 hours of supervised clinical experience in multisensory structured language education;

(4) completed at least five demonstration lessons of the practice of multisensory structured language education, each observed by an instructor from a training program that meets the requirements of Section 403.0025 and followed by a conference with and a written report by the instructor; and

(5) successfully completed a national multisensory structured language education competency examination as required by a national certifying professional organization.

(b) To meet the state dyslexia therapist title recognition standards, a person must have:

(1) earned at least a bachelor's degree from an accredited public or private institution of higher education;

(2) successfully completed at least 200 hours of course work in multisensory structured language education from a training program that meets the requirements of Section 403.0025;

(3) completed at least 700 hours of supervised clinical experience in multisensory structured language education;

(4) completed at least 10 demonstration lessons of the practice of multisensory structured language education, each observed by an instructor from a training program that meets the requirements of Section 403.0025 and followed by a conference with and a written report by the instructor; and

(5) successfully completed a national multisensory structured language education competency examination as required by a national certifying professional organization.

(c) Clinical experience required under Subsections (a)(3) and (b)(3) must be obtained under the supervision of a qualified instructor or an instructor from an accredited training program that meets the requirements of Section 403.0025.

Sec. 403.0025. REQUIREMENTS FOR TRAINING PROGRAMS. (a) For purposes of determining whether a person satisfies the training requirements under the state dyslexia practitioner or state dyslexia therapist title recognition standards, a multisensory structured language education training program completed by the applicant must:

(1) be accredited by a nationally recognized accrediting organization;
(2) have in writing defined goals and objectives, areas of authority, and policies and procedures;

(3) have the appropriate financial and management resources to operate the training program, including a knowledgeable administrator and standard accounting and reporting procedures;

(4) have a physical site, equipment, materials, supplies, and environment suitable for the training program;

(5) have a sufficient number of instructional personnel who have completed the requirements for certification in multisensory structured language education;

(6) have been reviewed by multisensory structured language education professionals who are not affiliated with the training program;

(7) have developed and followed procedures to maintain and improve the quality of training provided by the program;

(8) have provided direct instruction in the principles and in each element of multisensory structured language education for a minimum of:

(A) 45 contact hours of course work for training program participants who seek to meet the state dyslexia practitioner title recognition standards; and

(A) 200 contact hours of course work for training program participants who seek to meet the state dyslexia therapist title recognition standards; and

(9) have required training program participants to complete a program of supervised clinical experience in which the participants provided multisensory structured language education to students or adults, either individually or in small groups, for a minimum of:

(A) 60 hours for training program participants who seek to meet the state dyslexia practitioner title recognition standards; and

(A) 700 hours for training program participants who seek to meet the state dyslexia therapist title recognition standards;

(10) have required training program participants to demonstrate the application of multisensory structured language education principles of instruction by completing demonstration lessons observed by an instructor and followed by a conference with and a written report by the instructor; and

(11) have provided instruction based on the Texas Education Agency publication "The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders (2007)," or a revised version of that publication approved by the Texas Education Agency.

(b) A training program must require a training program participant who seeks to meet the state dyslexia practitioner title recognition standards to have completed at least five demonstration lessons described by Subsection (a)(10) and a participant who seeks to meet the state dyslexia therapist title recognition standards to have completed at least 10 demonstration lessons described by Subsection (a)(10).

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

Sec. 403.005. APPLICABILITY. This chapter does not:

(1) require a school district to employ a person who meets the state dyslexia practitioner or state dyslexia therapist title recognition standards;

(2) require a person who holds a license issued under Chapter 501 to meet the state dyslexia practitioner or state dyslexia therapist title recognition standards; or

(3) authorize a person who is not licensed under Chapter 401 to practice audiology or speech-language pathology.

(Bonnen in the chair)

Amendment No. 1 was adopted.

CSHB 461, as amended, was passed to engrossment.

CSSB 1373 ON SECOND READING
(Pickett - House Sponsor)

CSSB 1373, A bill to be entitled An Act relating to the operation and continuation of the law authorizing the issuance of oversize or overweight vehicle permits by certain port authorities.

CSSB 1373 was read second time earlier today and was postponed until this time.

CSSB 1373 was passed to third reading.

CSHB 2117 - LAID ON THE TABLE SUBJECT TO CALL

Representative Oliveira moved to lay **CSHB 2117** on the table subject to call.

The motion prevailed.

CSHB 1320 ON SECOND READING
(by Christian, et al.)

CSHB 1320, A bill to be entitled An Act relating to creating an offense for engaging in certain conduct relating to cockfighting and to the criminal and civil consequences of committing that offense.

CSHB 1320 was read second time on May 2 and was passed to engrossment, as amended. The vote was reconsidered later that day, and **CSHB 1320** was postponed until 10 a.m. today.

Amendment No. 2

Representative Christian offered the following amendment to **CSHB 1320**:

Amend **CSHB 1320** (house committee printing) as follows:

(1) On page 2, line 8, strike "or (6)".

(2) On page 2, line 9, after the underlined period, insert the following:

An offense under Subsection (b)(6) is a Class C misdemeanor, except that the offense is a Class A misdemeanor if it is shown on the trial of the offense that the person has been previously convicted of an offense under that subdivision.
~~Subsection~~

Amendment No. 2 was adopted.

Amendment No. 3

Representative Hodge offered the following amendment to **CSHB 1320**:

Amend **CSHB 1320** (house committee printing), on page 2, between line 9 and 10, by inserting the following:

(d) It is an affirmative defense to prosecution under Subsection (b)(4) that the actor owns or trains a cock with the intent that the cock be used as a show bird or pet.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Flores offered the following amendment to **CSHB 1320**:

Amend **CSHB 1320** (house committee printing) by striking, on page 1, lines 23 through 24, "cock with the intent that the cock be used in an exhibition of cockfighting;", and substitute "dog with the intent that the dog be used to hunt a hog;".

Amendment No. 4 - Point of Order

Representative Hartnett raised a point of order against further consideration of Amendment No. 4 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The point of order was withdrawn.

Amendment No. 4 was withdrawn.

MESSAGE FROM THE SENATE

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

CSHB 1320 - (consideration continued)**Amendment No. 5**

Representative Gutierrez offered the following amendment to **CSHB 1320**:

Amend **CSHB 1320** (house committee printing) by striking page 2, line 10, through page 3, line 17 (SECTION 2 of the bill), and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Gutierrez offered the following amendment to **CSHB 1320**:

Amend **CSHB 1320** (house committee printing) by striking the language on page 2, lines 7-9, and substituting the following:

(c) An offense under Subsection (b)(1), (2), (3), or (5) is a state jail felony. An offense under Subsection (b)(4) is a Class A misdemeanor. An offense under Subsection (b)(6) is a Class C misdemeanor.

Amendment No. 6 was withdrawn.

Amendment No. 7

Representative Herrero offered the following amendment to **CSHB 1320**:

Amend **CSHB 1320** (house committee printing) as follows:

(1) On page 1, line 17, between "person" and "knowingly", insert ", for monetary gain,".

(2) On page 1, line 24, following the underlined semicolon, insert "or".

(3) On page 2, line 4, strike "; or" and substitute an underlined period.

(4) Strike page 2, lines 5 and 6.

(5) On page 2, line 8, strike "or (6)".

CSHB 1320 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE GUTIERREZ: Representative Christian, first off I want to thank you for being very acceptable and agreeable to bring some parity with this and the dog fighting bill. And I want to thank you for your openness in doing so. As I've told you before, I've gotten a lot of calls over this; matter of fact, there's some people that raise cocks in my district and handle cocks in my district and I have to be very respectful of them as well, and I think that you accepted an amendment by Ms. Hodge that suggested that there would be an affirmative defense in place if they were being raised or bred for show birds.

REPRESENTATIVE CHRISTIAN: Exactly. We did that because—sort of like the bill we did last session on dog fighting—to bring this into parity with the dog fighting law. For the last three years, legitimate raisers of pit bull dogs have been continuing throughout this state to sell pit bulls, and there has not been one arrest, one person that's raising those or selling those dogs, not one has occurred in the past three years, so I think we take care of that with Ms. Hodge's amendment and it was already taken care of even without that, so we went a step farther.

GUTIERREZ: Well, to be fair, Ms. Hodge's amendment comes after the fact, after an arrest. So what I'm asking is something that I talked to you about, that we put this down for legislative intent—it is not your intent to go after breeders? If, in other words, I've got people in my district and they have 200 birds in their area and they're raising them, and you've seen the little houses they build for them—there's no paraphernalia of cockfighting around—are those people susceptible to being arrested under your bill?

CHRISTIAN: No, they're not susceptible unless they are delivering, or raising, or equipping these birds and training them to whatever level that's incurred with the birds. If they're doing that, they would be. But it is not for those people who are raising show birds for their kids to carry to the 4-H fair or for the county fair, or for raising birds for show and for trophy. It is not intended for those legitimate raisers of show birds.

GUTIERREZ: And—I don't know, I've never seen a cock being trained before, I don't know how that happens—but if, they have what they—I've just heard the term, the word "fly pen," and I've been told that's for exercise. Does that mean that they are for cockfighting purposes?

CHRISTIAN: No, it means only if they are shown to—it has to be proven totally that they are raising these birds to sell them to people to go cockfight. That's for the event, to provide those, if they are raising birds for that purpose, and it is shown. And if it's just that they have birds, but as long as they have birds on their place and they're raising them in pens, tents, whatever they want to do, that's fine. The only reason this ever will come into play is if they attempt to sell those birds for fighting purposes.

GUTIERREZ: Okay. But the legitimate intent I guess would be if, if you're at a cockfight and you're fighting your cocks, then two people can be arrested, or a group of people can be arrested for that, correct?

CHRISTIAN: Currently that's the only people that can. My bill makes it broader so that the people that are there participating in this illegal activity should be arrested or have some penalty, fined, ticket.

GUTIERREZ: But for these folks up here that raise these birds as show birds and pets, I gotta tell you, my neighbor's got three of these birds and I want to ring their neck because they wake me up at 5 a.m. But, that's my neighbor's pet.

CHRISTIAN: For legitimate raisers of show birds, I support them totally. It's a right they have, it's part of the tradition of the Texas 4-H all in my rural area. We want to be able to do that. Poultry is a great part for the legitimate, legal American poultry business, and show birds, I support totally. This bill has no intention of touching any of those fine people.

REMARKS ORDERED PRINTED

Representative Gutierrez moved to print remarks between Representative Christian and Representative Gutierrez.

The motion prevailed.

Amendment No. 7 failed of adoption by (Record 534): 52 Yeas, 85 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Dukes; Dunnam; Dutton; Edwards; Eiland; England; Farias; Farrar; Flores; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hernandez; Herrero; Howard, D.; King, T.; Kuempel;

Leibowitz; Lucio; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McClendon; Oliveira; Olivo; Ortiz; Peña; Pickett; Pierson; Quintanilla; Raymond; Rios Ybarra; Thompson; Turner, C.; Veasey; Villarreal; Walle.

Nays — Anderson; Aycock; Berman; Bohac; Bonnen(C); Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Driver; Eissler; Elkins; Farabee; Fletcher; Flynn; Gallego; Gattis; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hilderbran; Hodge; Homer; Howard, C.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Madden; McCall; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Orr; Otto; Parker; Patrick; Paxton; Phillips; Riddle; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Truitt; Turner, S.; Vo; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Hochberg; Morrison; Pitts.

Absent — Frost; Geren; Hopson; Hughes; Maldonado; McReynolds; Menendez.

STATEMENT OF VOTE

When Record No. 534 was taken, I was in the house but away from my desk. I would have voted no.

Maldonado

CSHB 1320, as amended, was passed to engrossment by (Record 535): 103 Yeas, 33 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen(C); Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Cook; Corte; Craddick; Creighton; Crownover; Darby; Davis, J.; Driver; Eiland; Eissler; Elkins; England; Farabee; Farrar; Fletcher; Flynn; Gallego; Gattis; Giddings; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez; Hilderbran; Howard, C.; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lucio; Madden; Maldonado; Marquez; Martinez Fischer; McCall; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Naishtat; Orr; Otto; Parker; Patrick; Paxton; Pickett; Pierson; Quintanilla; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Truitt; Turner, C.; Turner, S.; Veasey; Vo; Weber; Woolley; Zerwas.

Nays — Alonzo; Davis, Y.; Dukes; Dutton; Edwards; Farias; Flores; Geren; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Heflin; Herrero; Hodge; Homer; King, T.; Kuempel; Lewis; Mallory Caraway; Martinez; McClendon; McReynolds; Moody; Oliveira; Olivo; Ortiz; Peña; Raymond; Thompson; Villarreal; Walle.

Present, not voting — Mr. Speaker.

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Hochberg; Morrison; Pitts.

Absent — Coleman; Crabb; Dunnam; Frost; Hopson; Hughes; Phillips; Sheffield.

STATEMENTS OF VOTE

When Record No. 535 was taken, I was in the house but away from my desk. I would have voted yes.

Crabb

I was shown voting yes on Record No. 535. I intended to vote no.

Rios Ybarra

When Record No. 535 was taken, my vote failed to register. I would have voted yes.

Sheffield

SB 872 ON SECOND READING (Menendez - House Sponsor)

SB 872, A bill to be entitled An Act relating to continued health insurance coverage for eligible survivors of certain public servants killed in the line of duty.

SB 872 was considered in lieu of **CSHB 1303**.

SB 872 was read second time.

(Speaker in the chair)

Amendment No. 1

Representative Menendez offered the following amendment to **SB 872**:

Amend **SB 872** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 615.003, Government Code, is amended to read as follows:

Sec. 615.003. APPLICABILITY. This chapter applies only to eligible survivors of the following individuals:

(1) an individual elected, appointed, or employed as a peace officer by the state or a political subdivision of the state under Article 2.12, Code of Criminal Procedure, or other law;

(2) a paid probation officer appointed by the director of a community supervision and corrections department who has the duties set out in Section 76.002 and the qualifications set out in Section 76.005, or who was appointed in accordance with prior law;

(3) a parole officer employed by the pardons and paroles division of the Texas Department of Criminal Justice who has the duties set out in Section 508.001 and the qualifications set out in Section 508.113 or in prior law;

(4) a paid jailer;

(5) a member of an organized police reserve or auxiliary unit who regularly assists peace officers in enforcing criminal laws;

(6) a member of the class of employees of the institutional division or the state jail division of the Texas Department of Criminal Justice formally designated as custodial personnel under Section 615.006 by the Texas Board of Criminal Justice or its predecessor in function;

(7) a jailer or guard of a county jail who is appointed by the sheriff and who:

(A) performs a security, custodial, or supervisory function over the admittance, confinement, or discharge of prisoners; and

(B) is certified by the Commission on Law Enforcement Officer Standards and Education;

(8) a juvenile correctional employee of the Texas Youth Commission;

(9) an employee of the Texas Department of Mental Health and Mental Retardation who:

(A) works at the department's maximum security unit; or

(B) performs on-site services for the Texas Department of Criminal Justice;

(10) an individual who is employed by the state or a political or legal subdivision and is subject to certification by the Texas Commission on Fire Protection;

(11) an individual employed by the state or a political or legal subdivision whose principal duties are aircraft crash and rescue fire fighting;

(12) a member of an organized volunteer fire-fighting unit that:

(A) renders fire-fighting services without remuneration; and

(B) conducts a minimum of two drills each month, each two hours long;

(13) an individual who:

(A) performs emergency medical services or operates an ambulance;

(B) is employed by a political subdivision of the state or is an emergency medical services volunteer as defined by Section 773.003, Health and Safety Code; and

(C) is qualified as an emergency care attendant or at a higher level of training under Section 773.046, 773.047, 773.048, 773.049, or 773.0495, Health and Safety Code; ~~or~~

(14) an individual who is employed or formally designated as a chaplain for:

(A) an organized volunteer fire-fighting unit or other fire department of this state or of a political subdivision of this state;

(B) a law enforcement agency of this state or of a political subdivision of this state; or

(C) the Texas Department of Criminal Justice; or

(15) an individual who is employed by the state or a political subdivision of the state and who is considered by the governmental employer to be a trainee for a position otherwise described by this section.

SECTION _____. Section 615.021(e), Government Code, is amended to read as follows:

(e) In this section:

(1) "Personal injury" means an injury resulting from an external force, an activity, or a disease caused by or resulting from:

(A) a line-of-duty accident; or

(B) an illness caused by line-of-duty work under hazardous conditions.

(2) "Line of duty" means an action an individual listed under Section 615.003 is required or authorized by rule, condition of employment, or law to perform. The term includes:

(A) an action by the individual at a social, ceremonial, athletic, or other function to which the individual is assigned by the individual's employer; and

(B) an action performed as part of a training program the individual is required or authorized by rule, condition of employment, or law to undertake.

Amendment No. 1 was adopted.

SB 872, as amended, was passed to third reading by (Record 536): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Hochberg; Morrison; Pitts.

Absent — Christian; Lewis; Mallory Caraway.

STATEMENTS OF VOTE

When Record No. 536 was taken, I was in the house but away from my desk. I would have voted yes.

Christian

When Record No. 536 was taken, I was in the house but away from my desk. I would have voted yes.

Mallory Caraway

CSHB 1303 - LAID ON THE TABLE SUBJECT TO CALL

Representative Menendez moved to lay **CSHB 1303** on the table subject to call.

The motion prevailed.

SB 2043 ON SECOND READING

(Bonnen - House Sponsor)

SB 2043, A bill to be entitled An Act relating to the closure of certain man-made passes between the Gulf of Mexico and inland bays by the commissioner of the General Land Office.

SB 2043 was considered in lieu of **CSHB 3986**.

SB 2043 was read second time and was passed to third reading.

CSHB 3986 - LAID ON THE TABLE SUBJECT TO CALL

Representative Bonnen moved to lay **CSHB 3986** on the table subject to call.

The motion prevailed.

SB 95 ON SECOND READING

(Menendez - House Sponsor)

SB 95, A bill to be entitled An Act relating to prohibiting the use of unsafe children's products in certain nonresidential child-care facilities.

SB 95 was considered in lieu of **CSHB 217**.

SB 95 was read second time and was passed to third reading.

CSHB 217 - LAID ON THE TABLE SUBJECT TO CALL

Representative Menendez moved to lay **CSHB 217** on the table subject to call.

The motion prevailed.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

HB 4765 ON SECOND READING

(by Oliveira, Paxton, Hopson, Callegari, Creighton, et al.)

HB 4765, A bill to be entitled An Act relating to the total revenue exemption for the franchise tax.

Amendment No. 1

Representative Keffer offered the following amendment to **HB 4765**:

Floor Packet Page No. 3

Amend **HB 4765** as follows:

(1) On page 1, line 11, strike "\$1 million" and substitute "\$600,000".

(2) Add the following new sections 3 and 4 to read as follows and renumbering subsequent sections accordingly:

SECTION 3. TEMPORARY E-Z TAX RATE DECREASE. Section 171.1016(b), Tax Code, is amended to read as follows:

(b) The amount of the tax for which a taxable entity that elects to pay the tax as provided by this section is liable is computed by:

(1) determining the taxable entity's total revenue from its entire business, as determined under Section 171.1011;

(2) apportioning the amount computed under Subdivision (1) to this state, as provided by Section 171.106, to determine the taxable entity's apportioned total revenue; and

(3) multiplying the amount computed under Subdivision (2) by the rate of 0.575 percent.

SECTION 4. SUNSET OF TEMPORARY E-Z TAX RATE DECREASE. Effective January 1, 2012, Section 171.1016(b), Tax Code, is amended to read as follows:

(b) The amount of the tax for which a taxable entity that elects to pay the tax as provided by this section is liable is computed by:

(1) determining the taxable entity's total revenue from its entire business, as determined under Section 171.1011;

(2) apportioning the amount computed under Subdivision (1) to this state, as provided by Section 171.106, to determine the taxable entity's apportioned total revenue; and

(3) multiplying the amount computed under Subdivision (2) by the rate of 0.575 percent.

(3) On page 2, line 2, between "Act" and ",", insert "and Section 171.1016(b), Tax Code, as amended by Section 3 of this Act"

(4) On page 2, line 5, between "Act" and ",", insert "and Section 171.1016(b), Tax Code, as amended by Section 4 of this Act"

Amendment No. 1 was withdrawn.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a meeting of the Conference Committee on **SB 1**:

Villarreal on motion of Farabee.

HB 4765 - (consideration continued)

HB 4765 was passed to engrossment by (Record 537): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Hochberg; Morrison; Pitts; Villarreal.

Absent — Brown, F.; Isett.

STATEMENT OF VOTE

When Record No. 537 was taken, I was excused to attend a meeting of the Conference Committee on **SB 1**. Had I been present, I would have voted yes.

Hochberg

HB 2033 ON SECOND READING (by Kolkhorst)

HB 2033, A bill to be entitled An Act relating to the regulation of polygraph examiners by the Texas Department of Licensing and Regulation and the abolition of the Polygraph Examiners Board.

Representative Kolkhorst moved to postpone consideration of **HB 2033** until 10 a.m. Tuesday, May 12.

The motion prevailed.

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

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

**CSHJR 62 ON SECOND READING
(by Farabee, Swinford, Smithee, Strama, et al.)**

CSHJR 62, A joint resolution proposing a constitutional amendment to provide that the Railroad Commission of Texas is governed by a single elected railroad commissioner.

Amendment No. 1

Representative P. King offered the following amendment to **CSHJR 62**:

Amend **CSHJR 62**, Section 2, to read:

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 81st Legislature, Regular Session, 2009, providing that the Railroad Commission of Texas will be governed by a single railroad commissioner instead of by a three-member commission.

(b) The first railroad commissioner elected under the amendment shall be elected at the general election held in November 2014 to serve for a term that begins January 1, 2015.

(c) Until the first railroad commissioner elected under the amendment takes office, the members of the Railroad Commission of Texas serving on the date that the adoption of the amendment by the voters is shown by the official canvass of returns shall, unless otherwise removed as provided by law, continue in office under the prior law that governed the composition of the Railroad Commission of Texas, and that prior law is continued in effect for that purpose. If on January 1, 2015 there is a vacancy in the new office of railroad commissioner created under the amendment because the first railroad commissioner-elect has died or refuses or is permanently unable to serve, the members of the Railroad Commission of Texas serving on the date that the adoption of the amendment by the voters is shown by the official canvass of returns shall, unless otherwise removed as provided by law, continue in office under the prior law that governed the composition of the Railroad Commission of Texas until the governor fills the vacancy by appointment in the manner provided by law. The prior law that governed the composition of the Railroad Commission of Texas is continued in effect for that purpose. At the time that the first railroad commissioner elected, or in extraordinary circumstances appointed, under the amendment takes office, the three-member governing body of the Railroad Commission of Texas is abolished.

(d) The railroad commissioner succeeds to all powers, duties, rights, and obligations of the three-member governing body of the Railroad Commission of Texas, and the abolition of the three-member governing body of the commission does not affect the validity of any right, duty, decision, rule, or action of any kind taken by or under the authority of the three-member governing body.

(e) This temporary provision expires January 1, 2016.

Amendment No. 1 was adopted.

CSHJR 62, as amended, was passed to engrossment by (Record 538): 91 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Aycock; Bolton; Bonnen; Branch; Burnam; Castro; Chavez; Cohen; Coleman; Crabb; Crownover; Davis, Y.; Driver; Dukes; Dunnam; Edwards; Eiland; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Gutierrez; Hamilton; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Jackson; Keffer; King, S.; King, T.; Kleinschmidt; Lucio; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Peña; Pickett; Pierson; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Thibaut; Truitt; Turner, C.; Vo; Walle.

Nays — Allen; Anderson; Berman; Bohac; Brown, B.; Button; Callegari; Christian; Cook; Corte; Craddick; Creighton; Darby; Davis, J.; Dutton; Eissler; Elkins; Fletcher; Flynn; Hancock; Hartnett; Hilderbran; Hunter; Isett; Jones; Kent; King, P.; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Madden; Miller, D.; Miller, S.; Parker; Paxton; Phillips; Riddle; Shelton; Taylor; Thompson; Turner, S.; Veasey; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Hochberg; Morrison; Pitts; Villarreal.

Absent — Brown, F.; Chisum; Guillen; Kolkhorst; Quintanilla.

STATEMENTS OF VOTE

When Record No. 538 was taken, I was in the house but away from my desk. I would have voted no.

F. Brown

When Record No. 538 was taken, my vote failed to register. I would have voted no.

Guillen

I was shown voting yes on Record No. 538. I intended to vote no.

Rose

HJR 39 ON SECOND READING**(by Allen, S. Turner, Giddings, Bohac, Thompson, et al.)**

HJR 39, A joint resolution post-ratifying Amendment XXIV to the Constitution of the United States prohibiting the denial or abridgment of the right to vote for failure to pay any poll tax or other tax.

HJR 39 was adopted by (Record 539): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Hochberg; Morrison; Pitts; Villarreal.

Absent — Alvarado.

STATEMENTS OF VOTE

When Record No. 539 was taken, I was in the house but away from my desk. I would have voted yes.

Alvarado

When Record No. 539 was taken, I was excused to attend a meeting of the Conference Committee on **SB 1**. Had I been present, I would have voted yes.

Hochberg

GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING

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

CSHB 3226 ON SECOND READING
(by Madden)

CSHB 3226, A bill to be entitled An Act relating to the payment of temporary housing costs for certain inmates who are eligible for release on parole or to mandatory supervision.

CSHB 3226 was passed to engrossment by (Record 540): 94 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Bolton; Bonnen; Burnam; Castro; Chavez; Chisum; Cohen; Coleman; Cook; Corte; Craddick; Crownover; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Elkins; Farabee; Farias; Farrar; Flores; Frost; Gallego; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hardcastle; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, S.; King, T.; Kleinschmidt; Kuempel; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miklos; Moody; Naishtat; Olivo; Ortiz; Otto; Patrick; Peña; Pickett; Pierson; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Shelton; Smith, W.; Smithee; Solomons; Strama; Swinford; Thibaut; Thompson; Turner, C.; Turner, S.; Veasey; Vo; Walle; Woolley.

Nays — Anderson; Aycock; Berman; Bohac; Branch; Brown, B.; Brown, F.; Button; Callegari; Christian; Crabb; Creighton; Darby; Davis, J.; Eissler; Fletcher; Flynn; Gattis; Geren; Hancock; Harless; Harper-Brown; Hartnett; Hilderbran; Howard, C.; Isett; King, P.; Kolkhorst; Laubenberg; Legler; Merritt; Miller, D.; Miller, S.; Orr; Parker; Paxton; Phillips; Riddle; Rios Ybarra; Sheffield; Smith, T.; Taylor; Truitt; Weber; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Hochberg; Morrison; Pitts; Villarreal.

Absent — Allen; Eiland; England; Oliveira.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 540. I intended to vote no.

Craddick

When Record No. 540 was taken, I was in the house but away from my desk. I would have voted yes.

England

I was shown voting yes on Record No. 540. I intended to vote no.

Woolley

CSHB 2927 ON SECOND READING
(by D. Howard, Hilderbran, Dunnam, and Anderson)

CSHB 2927, A bill to be entitled An Act relating to the regulation of cemeteries by state and local government.

Amendment No. 1

Representative D. Howard offered the following amendment to **CSHB 2927**:

Amend **CSHB 2927** (House committee printing) as follows:

(1) On page 5, line 14, between "711.008," and "711.021-711.024", insert "711.0105,".

(2) On page 5, line 19, between "711.008," and "711.021-711.034", insert "711.0105,".

(3) On page 5, lines 23 and 24, strike "711.0105,".

(4) On page 5, lines 25 and 26, between "711.007," and "711.035," insert "711.0105,".

Amendment No. 1 was adopted.

CSHB 2927, as amended, was passed to engrossment.

CSHB 2788 ON SECOND READING
(by D. Miller and Bolton)

CSHB 2788, A bill to be entitled An Act relating to the powers and duties of counties and emergency services districts.

CSHB 2788 was passed to engrossment.

CSHB 2582 ON SECOND READING
(by Gonzalez Toureilles, Leibowitz, Moody, and Hardcastle)

CSHB 2582, A bill to be entitled An Act relating to the production and taxation of renewable diesel fuel.

Amendment No. 1

Representative Gonzalez Toureilles offered the following amendment to **CSHB 2582**:

Amend **CSHB 2582** (House Committee Report) on page 8, line 26, after the period, by inserting: "The incentive under this subsection is payable only on that part of each gallon of fuel produced from renewable resources."

Amendment No. 1 was adopted.

CSHB 2582, as amended, was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative McCall requested permission for the Committee on Calendars to meet while the house is in session, at 5:45 p.m. 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, 5:45 p.m. today, 3W.9, for a formal meeting, to consider the calendar.

**CSHB 2685 ON SECOND READING
(by Callegari, Leibowitz, et al.)**

CSHB 2685, A bill to be entitled An Act relating to the landowner's bill of rights.

CSHB 2685 was passed to engrossment.

HB 4834 - PERMISSION TO INTRODUCE

Representative Chisum requested permission to introduce and have placed on first reading **HB 4834**.

Permission to introduce was granted by (Record 541): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Quintanilla; Raymond; Riddle; Rios Ybarra; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Deshotel; Vaught.

Absent, Excused, Committee Meeting — Hochberg; Morrison; Pitts; Villarreal.

Absent — Howard, C.; Keffer; King, S.; McReynolds; Ritter.

STATEMENTS OF VOTE

When Record No. 541 was taken, I was in the house but away from my desk. I would have voted yes.

C. Howard

When Record No. 541 was taken, my vote failed to register. I would have voted yes.

S. King

COMMITTEE GRANTED PERMISSION TO MEET

Representative Merritt requested permission for the Committee on Public Safety to meet while the house is in session, during bill referral today, in E2.014, for a public hearing, to consider pending business.

Permission to meet was granted.

(Herrero in the chair)

FIVE-DAY POSTING RULE SUSPENDED

Representative Gallego moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Criminal Jurisprudence to consider **SB 116** and the posted agenda on Wednesday, May 13.

The motion prevailed.

Representative Taylor moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Insurance to consider **HB 4519**.

The motion prevailed.

Representative Homer moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Judiciary and Civil Jurisprudence to consider **HB 4742** and **HB 4793**.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Judiciary and Civil Jurisprudence, upon final recess today, E2.010, for a public hearing, to consider **HB 4742** and **HB 4793**.

Insurance, 2 p.m. or upon final adjournment/recess tomorrow, E2.026, for a public hearing, to consider **HB 4519** and the posted agenda.

FIVE-DAY POSTING RULE SUSPENDED

Representative Kolkhorst moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Public Health to consider **HB 3964** and **HCR 91** at 8 a.m. tomorrow in E2.012.

The motion prevailed.

Representative Kolkhorst moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Public Health to consider **HB 1379** on Wednesday, May 6 in E2.036.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Public Health, 8 a.m. tomorrow, E2.012, for a public hearing, to consider **HB 3964**, **HCR 91**, and posted business.

Public Health, upon final adjournment/recess Wednesday, May 6, E2.036, for a public hearing, to consider **HB 1379** and posted business.

FIVE-DAY POSTING RULE SUSPENDED

Representative Eissler moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Public Education to consider **SB 635** upon final adjournment/recess tomorrow in E2.036.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, upon final adjournment/recess tomorrow, E2.036, for a public hearing, to consider **SB 635** and previously posted business.

COMMITTEE GRANTED PERMISSION TO MEET

Representative McCall 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, 5:45 p.m. today, 3W.9, for a formal meeting, to consider the calendar.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Coleman requested permission for the Committee on County Affairs to meet while the house is in session, during bill referral today, in E2.016, for a public hearing, to consider the posted agenda.

Permission to meet was granted.

PROVIDING FOR RECESS

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

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Jones in the chair)

RECESS

In accordance with a previous motion, the house, at 6:02 p.m., recessed 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 4831 (By Hilderbran), Relating to the election of the board of directors of the Crockett County Water Control and Improvement District.

To Natural Resources.

HB 4832 (By Rios Ybarra), Relating to the board of directors of the Kenedy County Groundwater Conservation District.

To Natural Resources.

HB 4833 (By Hunter), Relating to the creation of district courts and statutory county courts and to the composition of the juvenile boards in certain counties.

To Judiciary and Civil Jurisprudence.

SB 9 to Higher Education.

SB 20 to Ways and Means.

SB 46 to Higher Education.

SB 59 to Human Services.

SB 64 to Insurance.

SB 201 to Higher Education.

SB 212 to Agriculture and Livestock.

SB 213 to Environmental Regulation.

SB 215 to Higher Education.

SB 256 to Higher Education.

SB 324 to Higher Education.

- SB 385 to Criminal Jurisprudence.
- SB 409 to Judiciary and Civil Jurisprudence.
- SB 410 to Criminal Jurisprudence.
- SB 418 to Criminal Jurisprudence.
- SB 499 to Public Health.
- SB 501 to Public Safety.
- SB 568 to Public Education.
- SB 588 to Natural Resources.
- SB 644 to Public Education.
- SB 660 to Natural Resources.
- SB 771 to Ways and Means.
- SB 783 to Technology, Economic Development, and Workforce.
- SB 860 to Natural Resources.
- SB 1024 to Ways and Means.
- SB 1038 to Natural Resources.
- SB 1039 to Natural Resources.
- SB 1062 to Human Services.
- SB 1092 to Public Health.
- SB 1145 to State Affairs.
- SB 1153 to Judiciary and Civil Jurisprudence.
- SB 1224 to Criminal Jurisprudence.
- SB 1236 to Criminal Jurisprudence.
- SB 1243 to Public Safety.
- SB 1326 to Public Health.
- SB 1327 to State Affairs.
- SB 1329 to Public Health.
- SB 1335 to Insurance.
- SB 1337 to Natural Resources.
- SB 1344 to Public Education.
- SB 1350 to Transportation.
- SB 1359 to Ways and Means.
- SB 1360 to Natural Resources.
- SB 1377 to Criminal Jurisprudence.
- SB 1405 to Natural Resources.
- SB 1406 to Natural Resources.
- SB 1411 to Human Services.
- SB 1462 to Defense and Veterans' Affairs.

SB 1479 to Insurance.
SB 1484 to Human Services.
SB 1492 to State Affairs.
SB 1498 to Defense and Veterans' Affairs.
SB 1501 to Agriculture and Livestock.
SB 1508 to Transportation.
SB 1542 to Public Health.
SB 1548 to Pensions, Investments, and Financial Services.
SB 1563 to Judiciary and Civil Jurisprudence.
SB 1571 to Transportation.
SB 1583 to Culture, Recreation, and Tourism.
SB 1625 to Judiciary and Civil Jurisprudence.
SB 1626 to Public Health.
SB 1629 to State Affairs.
SB 1636 to Transportation.
SB 1638 to Natural Resources.
SB 1652 to Corrections.
SB 1685 to Judiciary and Civil Jurisprudence.
SB 1705 to County Affairs.
SB 1717 to Business and Industry.
SB 1727 to Public Education.
SB 1729 to Higher Education.
SB 1735 to Higher Education.
SB 1740 to Judiciary and Civil Jurisprudence.
SB 1757 to Environmental Regulation.
SB 1774 to Criminal Jurisprudence.
SB 1783 to Public Safety.
SB 1785 to Public Safety.
SB 1795 to Elections.
SB 1800 to Higher Education.
SB 1801 to Higher Education.
SB 1806 to Agriculture and Livestock.
SB 1807 to Elections.
SB 1808 to Elections.
SB 1812 to Insurance.
SB 1813 to Ways and Means.
SB 1828 to Environmental Regulation.

- SB 1862** to Energy Resources.
- SB 1876** to Urban Affairs.
- SB 1890** to Defense and Veterans' Affairs.
- SB 1903** to Defense and Veterans' Affairs.
- SB 1918** to Business and Industry.
- SB 1919** to Business and Industry.
- SB 2046** to Higher Education.
- SB 2073** to Licensing and Administrative Procedures.
- SB 2093** to County Affairs.
- SB 2120** to Natural Resources.
- SB 2121** to Business and Industry.
- SB 2126** to Natural Resources.
- SB 2134** to Corrections.
- SB 2135** to Defense and Veterans' Affairs.
- SB 2145** to State Affairs.
- SB 2217** to Judiciary and Civil Jurisprudence.
- SB 2236** to State Affairs.
- SB 2243** to Higher Education.
- SB 2248** to Public Education.
- SB 2262** to Higher Education.
- SB 2270** to Public Education.
- SB 2279** to Judiciary and Civil Jurisprudence.
- SB 2296** to Natural Resources.
- SB 2298** to State Affairs.
- SB 2307** to Culture, Recreation, and Tourism.
- SB 2323** to Defense and Veterans' Affairs.
- SB 2324** to Judiciary and Civil Jurisprudence.
- SB 2341** to Licensing and Administrative Procedures.
- SB 2380** to Transportation.
- SB 2385** to Human Services.
- SB 2396** to Human Services.
- SB 2410** to Natural Resources.
- SB 2412** to Natural Resources.
- SB 2413** to Natural Resources.
- SB 2420** to Human Services.
- SB 2454** to Judiciary and Civil Jurisprudence.
- SB 2455** to Natural Resources.

SB 2456 to Natural Resources.
SB 2460 to Natural Resources.
SB 2466 to Natural Resources.
SB 2478 to Natural Resources.
SB 2479 to County Affairs.
SB 2483 to Natural Resources.
SB 2495 to Natural Resources.
SB 2497 to Natural Resources.
SB 2513 to Natural Resources.
SB 2514 to Natural Resources.
SB 2519 to Natural Resources.
SB 2522 to County Affairs.
SB 2523 to Licensing and Administrative Procedures.
SB 2529 to Natural Resources.

SIGNED BY THE SPEAKER

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

House List No. 23

HB 670

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
Monday, May 4, 2009

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 182 Patrick, Dan
Relating to informed consent to an abortion.

SB 312 Wentworth
Relating to the regulation and certification of medical examiners and the conduct of autopsy and inquest investigations by justices of the peace and medical examiners; providing penalties.

- SB 331** Carona
Relating to access to certain information under the public information law concerning public officers and employees.
- SB 341** Wentworth
Relating to changing the name of the Railroad Commission of Texas to the Texas Energy Commission.
- SB 548** Zaffirini
Relating to public school accountability for bilingual education and English as a second language and other special language programs.
- SB 552** Hegar
Relating to funding for the continuing education of certain peace officers.
- SB 626** Carona
Relating to the creation, organization, governance, duties, and functions of the Texas Department of Vehicles; providing a penalty.
- SB 671** Shapleigh
Relating to information requested by a member, committee, or agency of the legislature under the public information law.
- SB 696** Ellis
Relating to the use of certain state parking facilities, including the lease of the facilities, to other persons.
- SB 857** West
Relating to the purchasing and contracting practices of junior college districts; providing criminal penalties.
- SB 1098** Carona
Relating to the issuance of "Choose Life" license plates and the creation of the Choose Life account in the general revenue fund.
- SB 1374** West
Relating to community-based programs for juveniles in certain counties.
- SB 1538** Van de Putte
Relating to establishing veterans resource centers at certain institutions of higher education.
- SB 1615** Wentworth
Relating to the authorization of airport authorities and the issuance of bonds and the exercise of eminent domain by the authorities.
- SB 1648** Van de Putte
Relating to providing outreach services, behavioral health services, and certain health care services related to mental health to certain members and veterans of the armed forces and their families and providing for the creation of related clinical practice guidelines.
- SB 1687** Hinojosa
Relating to the right of certain counties to maintain local control over wages, hours, and other terms and conditions of employment.

- SB 1772** Fraser
Relating to the authority of the Public Utility Commission of Texas to address market power abuse, including the right to order restitution for violations.
- SB 1830** Patrick, Dan
Relating to the establishment, operation, and funding of open-enrollment charter schools.
- SB 1909** Hinojosa
Relating to the establishment by the Texas Forensic Science Commission of a DNA laboratory audit program.
- SB 1913** Fraser
Relating to certificates of convenience and necessity.
- SB 2007** Hegar
Relating to Prairie View A&M University's eligibility to participate in the research development fund.
- SB 2018** Watson
Relating to golf carts.
- SB 2051** Averitt
Relating to the collection by the Parks and Wildlife Department of taxes imposed on the sales and use of boats and boat motors and to the disposition of those taxes.
- SB 2233** Eltife
Relating to the regulation of debt management services providers; providing a penalty.
- SB 2242** Zaffirini
Relating to the provision of assistance by the Texas Ethics Commission in the reporting of political contributions and expenditures made in connection with offices of and measures proposed by local governmental entities.
- SB 2313** Averitt
Relating to the creation of the water plan projects fund to assist the Texas Water Development Board in the funding of certain projects identified in the state and regional water plans.
- SB 2349** Ogden
Relating to distributed generation of electric power by natural gas powered generation facilities.
- SB 2378** Nichols
Relating to the purposes and designation of a transportation reinvestment zone.
- SB 2419** Deuell
Relating to preventive treatment for state employees exposed to certain contagious diseases while performing duties of employment.
- SB 2423** Deuell
Relating to the transfer or sale of patient information or prescription drug history by discount health care programs.

SB 2444

Uresti

Relating to calculation of the net resources of a person ordered to pay child support.

SB 2484

Ogden

Relating to the transfer of certain state property from the Texas Department of Transportation to the Parks and Wildlife Department.

SB 2505

Harris

Relating to safety of children who participate in rodeos.

SB 2520

Duncan

Relating to election and qualifications of members of the board of directors of the Santa Rita Underground Water Conservation District.

SCR 47

Hegar

Granting permission for Grandfather's Blind, Ltd., and Donner Properties to sue the State of Texas, General Land Office, and School Land Board.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, May 4, 2009 - 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 2058

Gallego

SPONSOR: Seliger

Relating to the standards for attorneys representing indigent defendants in capital cases.

HB 2104

Geren

SPONSOR: Seliger

Relating to the statute of limitations for an action under the Beer Industry Fair Dealing Law.

(Amended)

SB 108

Ellis

Relating to the establishment and funding of a green job skills training program.

SB 112

Ellis

Relating to the establishment of veterans court programs in this state and to pretrial intervention programs.

SB 474 Estes
Relating to the comptroller of public accounts' use of electronic paycards to make certain payments.

SB 512 Carona
Relating to authorizing the Department of Public Safety of the State of Texas to establish a driver record monitoring pilot program and enter into contracts for the periodic reporting of certain information in the department's driver's license files; providing penalties.

SB 689 Shapiro
Relating to restrictions on the use of the Internet by sex offenders and to the reporting, collection, and exchange of information regarding those offenders; providing a civil penalty.

SB 748 Hegar
Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 161; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

SB 749 Hegar
Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 163; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

SB 1343 Hinojosa
Relating to the formula funding for public institutions of higher education for certain credit hours that do not count toward a degree.

SB 1388 Wentworth
Relating to process server certification and the establishment of a certification division within the Office of Court Administration of the Texas Judicial System.

SB 1443 Zaffirini
Relating to the academic costs charged to resident undergraduate students by general academic teaching institutions, to student financial assistance funded by tuition set-asides, and to certain reports regarding certain costs of those institutions.

SB 1982 Patrick, Dan
Relating to the licensing and regulation of pool-related electrical maintenance.

SB 2228 Averitt
Relating to the transfer of certain state property from the Texas Department of Criminal Justice to Coryell County.

SB 2256 Zaffirini
Relating to the establishment and operation of the Texas Women Veterans Program.

SB 2317 Averitt
Relating to the composition, duties, recommendations, and expenses of certain entities created to study and provide advice regarding environmental flows.

Respectfully,

Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 2

Agriculture and Livestock - **HB 2038**

Border and Intergovernmental Affairs - **HCR 171**

Business and Industry - **HB 2014, HB 2815, HB 3020, HB 3059, HB 3443, HB 3993, SB 378, SB 776, SB 859, SB 1773, SB 1814, SB 1815**

Corrections - **HB 145, HB 160, HB 2245, HB 2415, HB 3372, HB 4058, HJR 98, SB 518**

Elections - **HB 2524**

Higher Education - **HB 2954, HB 3353**

Insurance - **HB 4343, HB 4492, SB 78, SB 79**

Licensing and Administrative Procedures - **HB 2600, HB 3829, HB 3850, SB 543, SB 711**

Pensions, Investments, and Financial Services - **HB 801**

Public Health - **HCR 137, HCR 152, SB 1225**

Public Safety - **HB 1893, HB 3712, HB 3803**

Technology, Economic Development, and Workforce - **SB 1515**

Transportation - **HB 2604**

Urban Affairs - **HB 3161, HB 3540**

Ways and Means - **HB 831**

ENGROSSED

May 2 - HB 90, HB 171, HB 216, HB 243, HB 284, HB 410, HB 428, HB 453, HB 548, HB 576, HB 623, HB 646, HB 802, HB 829, HB 1058, HB 1118, HB 1433, HB 1471, HB 1474, HB 1487, HB 1498, HB 1634, HB 1771, HB 1912, HB 1914, HB 2063, HB 2083, HB 2161, HB 2321, HB 2876, HB 3450, HB 4397, HB 4593, HB 4611, HJR 116