

HOUSE JOURNAL

EIGHTIETH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-THIRD DAY — THURSDAY, MAY 10, 2007

The house met at 9:30 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1143).

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

Absent, Excused — Moreno.

The invocation was offered by Ferman Carpenter, pastor, Westside Church of Christ, Round Rock, as follows:

Loving Father, creator, sustainer of all life and the giver of everything that is good, what a blessing it is to begin this day in prayer to you. Thank you for allowing us to be citizens of the greatest country on earth and to live in this great State of Texas. Thank you for our leaders and law makers, and we pray that you safely watch over them and their families. Father, as this legislative session begins today please give our leaders the spirit of wisdom, charity, and justice, that with steadfast purpose they may faithfully serve in their offices to promote the well-being of all people.

In conclusion we ask your continued blessings over all our men and women who are serving in the armed forces. On the battlefields of the world, many have died and many more are still putting their lives on the line so we can have freedom of opportunity, freedom of thought, and freedom of worship. May we

never forget or fail to appreciate their great sacrifice. We pray their missions are successful and they come home to us soon. Father, thank you for the light so that we can have life, through Jesus the Christ we pray. Amen.

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

CAPITOL PHYSICIAN

The speaker recognized Representative Hilderbran who presented Dr. H. David Pope of Kerrville as the "Doctor for the Day."

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

RESOLUTIONS ADOPTED

Representative Hughes moved to suspend all necessary rules in order to take up and consider at this time **HR 1808, HR 1873, HR 1879, HR 1880, HR 1936, HR 1942, HR 1956, HR 1971, HR 1979, HR 1984** and **HR 1985**.

The motion prevailed.

The following resolutions were laid before the house:

HR 1808 (by Woolley), Honoring Dr. James Willerson and The University of Texas Health Science Center at Houston on the center's 35th anniversary.

HR 1873 (by Darby), Recognizing and welcoming the members of The Rotary Foundation's Group Study Exchange program to the State Capitol.

HR 1879 (by Taylor), Honoring the Lyondell Chemical Company for its contributions to Clear Creek ISD.

HR 1880 (by Taylor), Honoring NASA and the employees of the Johnson Space Center for their support of Clear Creek ISD.

HR 1936 (by Craddick), Congratulating Officer Ricardo Candelaria of Midland on earning the Law Enforcement Achievement Award for outstanding public service from the Texas Commission on Law Enforcement Officer Standards and Education.

HR 1942 (by Giddings and Goolsby), Honoring former Dallas Cowboy Everson Walls for donating a kidney to his ailing former teammate, Ron Springs.

HR 1956 (by Hernandez), Honoring the student council of Gardens Elementary School in Pasadena for its work with the Pennies for Patients fund-raiser.

HR 1971 (by Dutton), Congratulating the Houston Professional Fire Fighters Association, I.A.F.F. Local 341, on the 75th anniversary of its founding.

HR 1979 (by Noriega), Congratulating the Hispanic Caucus of Houston Professional Fire Fighters Association Local 341 on the 25th anniversary of its founding.

HR 1984 (by Bolton), Promoting greater public awareness of Lyme disease.

HR 1985 (by Bolton), Honoring James H. Stokes, Jr., on his 50th birthday.

The resolutions were adopted.

On motion of Representative Branch, the names of all the members of the house were added to **HR 1942** as signers thereof.

HCR 242 - ADOPTED

(by Homer)

Representative Hughes moved to suspend all necessary rules to take up and consider at this time **HCR 242**.

The motion prevailed.

The following resolution was laid before the house:

HCR 242, In memory of J. W. "Dub" Thomas of Mount Pleasant.

HCR 242 was unanimously adopted by a rising vote.

HR 1877 - ADOPTED

(by Gonzalez Toureilles)

Representative Gonzalez Toureilles moved to suspend all necessary rules to take up and consider at this time **HR 1877**.

The motion prevailed.

The following resolution was laid before the house:

HR 1877, Congratulating Dr. Barbara Welder of Beeville on her receipt of the 2007 John Ben Shepperd County Historical Commission Leadership Award from the Texas Historical Commission.

HR 1877 was adopted.

LEAVE OF ABSENCE GRANTED

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

Crownover on motion of Taylor.

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).

POSTPONED BUSINESS

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

SB 625 ON THIRD READING

(J. Davis - House Sponsor)

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

SB 625 was read third time on May 1, postponed until May 3, postponed until May 7, postponed until May 9, and was again postponed until 9 a.m. today.

Representative J. Davis moved to postpone consideration of **SB 625** until 11 a.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

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

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

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

A record vote was requested.

SB 1253 was passed by (Record 1144): 128 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Callegari; Castro; Crabb; Dukes; Dutton; Elkins; Farrar; Gattis; Harper-Brown; Miller; Mowery; Olivo; Ortiz; Parker; Pierson; Quintanilla; Rose; Straus; Vo.

STATEMENTS OF VOTE

When Record No. 1144 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

When Record No. 1144 was taken, I was in the house but away from my desk. I would have voted yes.

Parker

When Record No. 1144 was taken, I was temporarily out of the house chamber. I would have voted yes.

Quintanilla

When Record No. 1144 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

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

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

A record vote was requested.

SB 484 was passed by (Record 1145): 131 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Isett.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Burnam; Callegari; Coleman; Dukes; Farrar; Giddings; Goolsby; Hughes; Mowery; Olivo; Parker; Ritter; Taylor; Thompson; Villarreal.

STATEMENTS OF VOTE

When Record No. 1145 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

When Record No. 1145 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

When Record No. 1145 was taken, I was in the house but away from my desk. I would have voted yes.

Parker

SB 993 ON THIRD READING
(McReynolds - House Sponsor)

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

A record vote was requested.

SB 993 was passed by (Record 1146): 136 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Chavez; Coleman; Dukes; Farrar; Goolsby; Hamilton; Hughes; Martinez; Mowery; Quintanilla; Rose.

STATEMENT OF VOTE

When Record No. 1146 was taken, I was temporarily out of the house chamber. I would have voted yes.

Quintanilla

SB 276 ON THIRD READING (Rose - House Sponsor)

SB 276, A bill to be entitled An Act relating to student members of the board of regents of a state university or state university system.

A record vote was requested.

SB 276 was passed by (Record 1147): 135 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Berman; Chavez; Crabb; Elkins; Escobar; Farrar; Gonzalez Toureilles; Martinez; McReynolds; Mowery; Patrick; Quintanilla.

STATEMENTS OF VOTE

When Record No. 1147 was taken, I was in the house but away from my desk. I would have voted yes.

Escobar

When Record No. 1147 was taken, I was in the house but away from my desk. I would have voted yes.

Patrick

When Record No. 1147 was taken, I was temporarily out of the house chamber. I would have voted yes.

Quintanilla

SB 1502 ON THIRD READING
(Bolton and Hill - House Sponsors)

SB 1502, A bill to be entitled An Act relating to the adoption, increase, or abolition of a sales and use tax by an emergency services district.

A record vote was requested.

SB 1502 was passed by (Record 1148): 128 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Alonzo; Burnam; Chavez; Cook, R.; Crabb; Dunnam; Dutton; Elkins; Farrar; Flores; McReynolds; Merritt; Miles; Mowery; Oliveira; Olivo; Patrick; Peña; Swinford.

STATEMENTS OF VOTE

When Record No. 1148 was taken, I was in the house but away from my desk. I would have voted yes.

R. Cook

When Record No. 1148 was taken, I was temporarily out of the house chamber. I would have voted yes.

Flores

When Record No. 1148 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

SB 1896 ON THIRD READING
(Delisi - House Sponsor)

SB 1896, A bill to be entitled An Act relating to the distribution and redistribution of certain drugs.

A record vote was requested.

SB 1896 was passed by (Record 1149): 131 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Crabb; Deshotel; Gallego; Giddings; Goolsby; Jackson; Keffer; Latham; McCall; Merritt; Miles; Mowery; Olivo; Paxton; Peña; Rose.

STATEMENTS OF VOTE

When Record No. 1149 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

When Record No. 1149 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

SB 1659 ON THIRD READING
(B. Cook - House Sponsor)

SB 1659, A bill to be entitled An Act relating to the transfer of the Texas State Railroad to, and the creation of, the Texas State Railroad Authority.

A record vote was requested.

SB 1659 was passed by (Record 1150): 135 Yeas, 3 Nays, 1 Present, not voting.

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

Nays — Allen; Herrero; Leibowitz.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Crabb; Deshotel; Hartnett; Merritt; Miles; Mowery; Olivo; Rodriguez; Veasey.

STATEMENTS OF VOTE

When Record No. 1150 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

When Record No. 1150 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

When Record No. 1150 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

SB 1617 ON THIRD READING
(Paxton - House Sponsor)

SB 1617, A bill to be entitled An Act relating to the collection of motor vehicle sales taxes on seller-financed sales by dealers and the registration of finance companies related to those dealers.

A record vote was requested.

SB 1617 was passed by (Record 1151): 136 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Deshotel; Harper-Brown; Jackson; Merritt; Miles; Mowery; Olivo; Rodriguez; Straus; Veasey.

STATEMENTS OF VOTE

I was shown voting present, not voting on Record No. 1151. I intended to vote yes.

Hodge

When Record No. 1151 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

When Record No. 1151 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

When Record No. 1151 was taken, I was in the house but away from my desk. I would have voted yes.

Veasey

SB 1264 ON THIRD READING
(Truitt - House Sponsor)

SB 1264, A bill to be entitled An Act relating to the authority of a taxing unit to make a loan to the board of directors of a tax increment financing reinvestment zone for deposit in the tax increment fund for the zone.

A record vote was requested.

SB 1264 was passed by (Record 1152): 139 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Burnam; Jackson; King, S.; Miles; Mowery; Olivo; Rodriguez; Straus.

STATEMENTS OF VOTE

When Record No. 1152 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

When Record No. 1152 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

SB 156 ON THIRD READING
(Madden - House Sponsor)

SB 156, A bill to be entitled An Act relating to a competitive grant program to fund nurse-family partnership programs in certain communities in this state.

A record vote was requested.

SB 156 was passed by (Record 1153): 138 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Crownover.

Absent — Bohac; Burnam; Coleman; Laubenberg; Miles; Mowery; Olivo; Rodriguez; Vo.

STATEMENTS OF VOTE

When Record No. 1153 was taken, I was in the house but away from my desk. I would have voted yes.

Bohac

When Record No. 1153 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

When Record No. 1153 was taken, I was in the house but away from my desk. I would have voted yes.

Rodriguez

LEAVE OF ABSENCE GRANTED

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

McClendon on motion of Puente.

POSTPONED BUSINESS

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

HB 2785 ON SECOND READING

(by Paxton, Hughes, Eissler, Keffer, et al.)

HB 2785, A bill to be entitled An Act relating to property tax relief.

HB 2785 was read second time on May 9 and was postponed until this time. Amendment No. 1 was pending at the time of postponement.

HB 2785 - POINTS OF ORDER

Representative Herrero raised a point of order against further consideration of **HB 2785** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The speaker overruled the point of order.

Representative Burnam raised a point of order against further consideration of **HB 2785** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The speaker overruled the point of order.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Coleman offered the following amendment to **HB 2785**:

Amend **HB 2785** as follows:

(1) On page 1, strike lines 4 and 5 and substitute the following:

SECTION 1. Section 42.2516, Education Code, is amended by amending Subsection (a-1) and adding Subsection (a-2) to read as follows:

(2) On page 1, line 10, between "percent." and "[This]", insert the following:

(a-2) Notwithstanding Subsection (a-1), for the state fiscal year ending August 31, 2008, or a subsequent state fiscal year, the state compression percentage may be less than 66.67 percent only if sufficient state funds to achieve that compression percentage are available and appropriated from the property tax relief fund established under Section 403.109, Government Code, and the commissioner may not use funds appropriated from the general revenue fund to achieve that lesser compression percentage.

(Crownover now present)

Representative Herrero moved to extend speaking time on **HB 2785**.

A record vote was requested.

The motion to extend time prevailed by (Record 1154): 72 Yeas, 44 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bolton; Branch; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Davis, Y.; Dunnam; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Tourelles; Hamilton; Hartnett; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Jones; King, S.; Leibowitz; Lucio; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Noriega; Oliveira; Olivo; Ortiz; Patrick; Pierson; Pitts; Quintanilla; Raymond; Rodriguez; Smith, T.; Smith, W.; Strama; Swinford; Talton; Thompson; Van Arsdale; Vaught; Veasey; Vo.

Nays — Anderson; Aycok; Berman; Bohac; Brown, B.; Callegari; Chisum; Christian; Cook, B.; Corte; Creighton; Darby; Davis, J.; Delisi; Driver; Eissler; Hancock; Hardcastle; Harless; Harper-Brown; Hilderbran; Howard, C.; Hughes; Isett; Jackson; Keffer; King, P.; Kolkhorst; Krusee; Laubenberg; Macias; Mallory Caraway; Miller; Morrison; O'Day; Orr; Parker; Paxton; Phillips; Smithee; Taylor; West; Woolley; Zedler.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon.

Absent — Bonnen; Crabb; Crownover; Deshotel; Dukes; Dutton; Geren; Goolsby; Guillen; Haggerty; Heflin; King, T.; Kuempel; Latham; Mowery; Murphy; Naishtat; Otto; Peña; Pickett; Puente; Riddle; Ritter; Rose; Solomons; Straus; Truitt; Turner; Villarreal; Zerwas.

Representative Paxton moved to table Amendment No. 2.

A record vote was requested.

The motion to table prevailed by (Record 1155): 83 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Anderson; Aycok; Bailey; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Elkins; England; Farabee; Flynn; Frost; Garcia; Gattis; Geren; Goolsby; Guillen; Haggerty; Hamilton; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Homer; Howard, C.; Hughes; Isett; Jackson; Keffer; King, P.; King, S.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; Merritt; Morrison; Murphy; O'Day; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pitts; Raymond; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Dunnam; Dutton; Eiland; Escobar; Farias; Farrar; Flores; Gallego; Giddings; Gonzales; Gonzalez Tourelles; Hernandez; Herrero; Hochberg; Hodge; Hopson; Howard, D.; Jones; King, T.; Leibowitz; Lucio;

Mallory Caraway; Martinez; Martinez Fischer; McReynolds; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Pierson; Puente; Quintanilla; Ritter; Rodriguez; Strama; Thompson; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon.

Absent — Callegari; Deshotel; Dukes; Hancock; Heflin; Hill; Menendez; Miller; Mowery; Peña; Rose.

STATEMENTS OF VOTE

When Record No. 1155 was taken, I was in the house but away from my desk. I would have voted yes.

Hancock

When Record No. 1155 was taken, I was in the house but away from my desk. I would have voted no.

Rose

Amendment No. 3

Representative Dunnam offered the following amendment to **HB 2785**:

Amend **HB 2785** by adding, on page 1 between lines 11 and 12, the following:

"(a-2) Notwithstanding the state compression percentage in subsection (a-1), the state may only appropriate funds to reduce the compression percentage below 66.67 percent if each school district and open-enrollment charter school receives from the state an amount equal to the product of \$6,000 multiplied by the number of classroom teachers, full-time librarians, full-time counselors certified under Subchapter B, Chapter 21, and full-time school nurses employed by the district."

(Hardcastle in the chair)

Amendment No. 3 - Point of Order

Representative Berman raised a point of order against further consideration of Amendment No. 3 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The chair overruled the point of order.

Representative Alonzo moved to extend speaking time on **HB 2785**.

A record vote was requested.

The motion prevailed by (Record 1156): 82 Yeas, 45 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bolton; Branch; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Cook, B.; Cook, R.; Davis, Y.; Delisi; Deshotel; Dukes; Dunnam; Eiland; Elkins; England; Escobar; Farabee; Farrar; Flores; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales;

Gonzalez Tourelles; Guillen; Hartnett; Heflin; Hernandez; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Jackson; King, S.; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Merritt; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Pickett; Pierson; Puente; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Smith, T.; Strama; Straus; Swinford; Talton; Thompson; Van Arsdale; Vaught; Veasey; Vo; Woolley.

Nays — Anderson; Aycock; Berman; Bohac; Bonnen; Brown, B.; Callegari; Chisum; Christian; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Driver; Eissler; Haggerty; Harless; Harper-Brown; Hilderbran; Jones; Keffer; King, P.; Krusee; Latham; Laubenberg; Macias; Miller; Morrison; Murphy; O'Day; Parker; Patrick; Paxton; Phillips; Pitts; Ritter; Smithee; Solomons; Taylor; Truitt; West; Zedler; Zerwas.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon.

Absent — Dutton; Farias; Flynn; Goolsby; Hamilton; Hancock; Herrero; Hughes; Isett; King, T.; Kolkhorst; Kuempel; Menendez; Mowery; Orr; Otto; Smith, W.; Turner; Villarreal.

STATEMENT OF VOTE

When Record No. 1156 was taken, I was in the house but away from my desk. I would have voted no.

Flynn

(Speaker in the chair)

Representative Paxton moved to table Amendment No. 3.

A record vote was requested.

The motion to table was lost by (Record 1157): 62 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Anderson; Aycock; Berman; Bohac; Branch; Brown, B.; Brown, F.; Chisum; Christian; Cook, B.; Corte; Crabb; Creighton; Crownover; Davis, J.; Delisi; Driver; Eissler; Elkins; Flynn; Gattis; Haggerty; Hancock; Hardcastle; Harper-Brown; Hartnett; Howard, C.; Hughes; Isett; Jackson; Keffer; King, P.; King, S.; Kolkhorst; Krusee; Laubenberg; Macias; Madden; McCall; Morrison; Murphy; O'Day; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pitts; Riddle; Smith, W.; Smithee; Straus; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Bailey; Bonnen; Burnam; Callegari; Castro; Chavez; Cohen; Coleman; Cook, R.; Darby; Davis, Y.; Deshotel; Dukes; Dunnam; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Hamilton; Harless; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge;

Homer; Hopson; Howard, D.; Jones; King, T.; Kuempel; Latham; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McReynolds; Menendez; Merritt; Miles; Miller; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Pickett; Pierson; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Solomons; Strama; Thompson; Turner; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon.

Absent — Bolton; Dutton; Hilderbran; Mowery.

STATEMENTS OF VOTE

When Record No. 1157 was taken, my vote failed to register. I would have voted no.

Bolton

I was shown voting no on Record No. 1157. I intended to vote yes.

Callegari

I was shown voting no on Record No. 1157. I intended to vote yes.

Harless

When Record No. 1157 was taken, my vote failed to register. I would have voted no.

Hilderbran

I was shown voting yes on Record No. 1157. I intended to vote no.

Madden

I was shown voting yes on Record No. 1157. I intended to vote no.

McCall

I was shown voting yes on Record No. 1157. I intended to vote no.

Pitts

A record vote was requested.

Amendment No. 3 was adopted by (Record 1158): 113 Yeas, 25 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Burnam; Castro; Chavez; Chisum; Cohen; Coleman; Cook, R.; Crabb; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Hamilton; Hancock; Harper-Brown; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Jones; Keffer; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer;

McCall; McReynolds; Menendez; Merritt; Miles; Miller; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Strama; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Zerwas.

Nays — Aycock; Brown, B.; Brown, F.; Christian; Cook, B.; Corte; Creighton; Flynn; Hardcastle; Hartnett; Hilderbran; Howard, C.; Isett; Jackson; Latham; Laubenberg; Macias; Morrison; Murphy; Paxton; Smith, W.; Smithee; Solomons; Woolley; Zedler.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon.

Absent — Callegari; Gattis; Haggerty; Harless; King, P.; Mowery; Straus; Van Arsdale.

STATEMENTS OF VOTE

When Record No. 1158 was taken, I was in the house but away from my desk. I would have voted no.

Callegari

I was shown voting yes on Record No. 1158. I intended to vote no.

Crownover

I was shown voting yes on Record No. 1158. I intended to vote no.

Delisi

I was shown voting yes on Record No. 1158. I intended to vote no.

Eissler

I was shown voting yes on Record No. 1158. I intended to vote no.

Hancock

When Record No. 1158 was taken, I was in the house but away from my desk. I would have voted no.

Harless

I was shown voting yes on Record No. 1158. I intended to vote no.

Harper-Brown

I was shown voting no on Record No. 1158. I intended to vote yes.

Hilderbran

I was shown voting yes on Record No. 1158. I intended to vote no.

Hughes

When Record No. 1158 was taken, I was in the house but away from my desk. I would have voted no.

P. King

I was shown voting yes on Record No. 1158. I intended to vote no.

Orr

I was shown voting present, not voting on Record No. 1158. I intended to vote yes.

Parker

I was shown voting yes on Record No. 1158. I intended to vote no.

Riddle

I was shown voting yes on Record No. 1158. I intended to vote no.

Taylor

I was shown voting yes on Record No. 1158. I intended to vote no.

Truitt

I was shown voting yes on Record No. 1158. I intended to vote no.

Zerwas

Amendment No. 4

Representative Hochberg offered the following amendment to **HB 2785**:

Amend **HB 2785** on page 1, line 10, by striking "60.67" and substituting "33".

Amendment No. 4 was withdrawn.

LEAVE OF ABSENCE GRANTED

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

Turner on motion of Guillen.

HB 2785 - (consideration continued)

Amendment No. 5

Representative Villarreal offered the following amendment to **HB 2785**:

Amend **HB 2785** by adding, on page 1 between lines 11 and 12, the following:

"(a-2) Notwithstanding the state compression percentage in subsection (a-1), the state may only appropriate funds to reduce the compression percentage below 66.67 percent if the state's contribution to the teachers retirement system under Section 825.404, Government Code, is 10 percent or higher of the aggregate annual compensation of all members of the retirement system during that fiscal year."

Amendment No. 5 was withdrawn.

A record vote was requested.

HB 2785, as amended, was passed to engrossment by (Record 1159): 131 Yeas, 5 Nays, 1 Present, not voting.

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

Nays — Alonzo; Burnam; Coleman; Davis, Y.; Jackson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon; Turner.

Absent — Flynn; Gattis; Haggerty; Harless; Jones; King, S.; Latham; Riddle; Straus; Truitt.

STATEMENTS OF VOTE

When Record No. 1159 was taken, my vote failed to register. I would have voted yes.

Flynn

When Record No. 1159 was taken, I was in the house but away from my desk. I would have voted yes.

Gattis

When Record No. 1159 was taken, I was in the house but away from my desk. I would have voted yes.

Harless

When Record No. 1159 was taken, I was in the house but away from my desk. I would have voted no.

Jones

When Record No. 1159 was taken, my vote failed to register. I would have voted yes.

S. King

When Record No. 1159 was taken, I was in the house but away from my desk. I would have voted yes.

Latham

I was shown voting yes on Record No. 1159. I intended to vote no.

McReynolds

When Record No. 1159 was taken, my vote failed to register. I would have voted yes.

Riddle

When Record No. 1159 was taken, I was in the house but away from my desk. I would have voted yes.

Straus

When Record No. 1159 was taken, my vote failed to register. I would have voted yes.

Truitt

CSHB 2560 ON SECOND READING
(by Zedler, Creighton, Kolkhorst, et al.)

CSHB 2560, A bill to be entitled An Act relating to the availability of certain school district financial information on districts' Internet websites.

CSHB 2560 was read second time on May 9, amendments were offered and disposed of, and **CSHB 2560** was postponed until this time. Amendment No. 4 was pending at the time of postponement.

Amendment No. 4 was withdrawn.

Amendment No. 3 was adopted.

Amendment No. 5

Representative Giddings offered the following amendment to **CSHB 2560**:

Amend **CSHB 2560** by striking page 3, line 20, through page 4, line 12, and substituting the following:

Sec. 44.0032. POSTING OF DISTRICT CREDIT CARD TRANSACTIONS. (a) A school district shall post on the district's Internet website a monthly listing of each transaction made using a credit card issued to:

(1) the district; or

(2) a district officer or employee for use in connection with district

business.

(b) The listing of credit card transactions under Subsection (a) must include, for each transaction:

(1) the month and year of the transaction;

(2) the amount of the transaction; and

(3) the name of the payee.

(c) A school district may comply with Subsection (a) by posting a credit card statement on the district's Internet website. Before posting a credit card statement as permitted by this subsection, a school district shall remove or obliterate the credit card number, the credit card expiration date, and the day of the month on which each transaction shown was made.

(d) A school district shall:

(1) post each credit card transaction not later than the 30th day after the first date the district pays any portion of the balance due shown on the credit card statement that contains the transaction; and

(2) maintain the listing of a credit card transaction on the district's Internet website until the second anniversary of the date of the transaction.

(e) A school district shall post on the district's Internet website the first monthly listing of credit card transactions by listing each transaction on the first monthly statement the district receives that covers a billing period that ends after August 1, 2007. This subsection expires December 1, 2007.

Amendment No. 5 was withdrawn.

Amendment No. 6

Representative Creighton offered the following amendment to **CSHB 2560**:

Amend **CSHB 2560** as follows:

(1) On page 1, line 6, strike "44.0033" and substitute "44.0034".

(2) On page 5, following line 27, insert the following:

Sec. 44.0034. POSTING OF DISTRICT FUND BALANCES. (a) A school district shall post on the district's Internet website a statement of the district's obligated and unobligated fund balances.

(b) A school district shall:

(1) update the statement of fund balances at least once each month; and

(2) maintain each statement of fund balances on the district's Internet website until the second anniversary of the date of the statement.

Amendment No. 6 was adopted.

CSHB 2560, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: B. Brown, Gallego, Gonzalez Tourelles, Guillen, Herrero, and Leibowitz recorded voting no.)

SB 1229 ON SECOND READING

(Bailey - House Sponsor)

SB 1229, A bill to be entitled An Act relating to certain shipments by package stores and wine only package stores to customers.

SB 1229 was considered in lieu of **CSHB 3148**.

SB 1229 was read second time and was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Eissler and Phillips recorded voting no.)

CSHB 3148 - LAID ON THE TABLE SUBJECT TO CALL

Representative Bailey moved to lay **CSHB 3148** on the table subject to call.

The motion prevailed.

RULES SUSPENDED

Representative Krusee moved to suspend all necessary rules to allow the Committee on Transportation to consider legislation in committee during lunch recess today at Desk 46.

The motion prevailed.

FIVE DAY POSTING RULE SUSPENDED

Representative T. King moved to suspend the five day posting rule to allow the Committee on Border and International Affairs to consider **SB 822** at 2 p.m. or upon adjournment Monday, May 14 in E1.010.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Elections, upon lunch recess today, Desk 21, for a formal meeting, to consider **SB 1385** and **SB 1776**.

Natural Resources, upon lunch recess today, Desk 112, for a formal meeting, to consider pending business.

Public Education, upon lunch recess today, 3W.9, for a formal meeting, to consider **SB 603**, **SB 827**, **SB 1049**, **SB 1456**, **SB 1490**, and pending business.

Insurance, upon lunch recess today, Desk 24, for a formal meeting, to consider **SB 23**, **SB 380**, **SB 828**, **SB 1402**, **SB 1715**, **SB 1884**, and **SCR 60**.

Culture, Recreation, and Tourism, upon lunch recess today, Desk 66, for a formal meeting, to consider **SB 1736** and pending business.

Urban Affairs, upon lunch recess today, Desk 79, for a formal meeting.

Transportation, upon lunch recess today, Desk 46, for a formal meeting, to consider legislation in committee.

County Affairs, upon lunch recess today, Desk 105, for a formal meeting, to consider pending business.

Juvenile Justice and Family Issues, upon lunch recess today, Desk 150, for a formal meeting.

RECESS

At 12:04 p.m., the speaker announced that the house would stand recessed until 1:15 p.m. today.

AFTERNOON SESSION

The house met at 1:15 p.m. and was called to order by the speaker.

POSTPONED BUSINESS

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

CSHB 599 ON SECOND READING

(by B. Brown)

CSHB 599, A bill to be entitled An Act relating to the creation of the Fairfields Municipal Utility District of Kaufman County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

CSHB 599 was read second time on May 7 and was postponed until 7 a.m. today.

CSHB 599 - RECOMMITTED

Representative B. Brown moved to recommit **CSHB 599** to the Committee on Natural Resources.

The motion prevailed.

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 1292 ON SECOND READING

(by Puente, Castro, Menendez, and Leibowitz)

CSHB 1292, A bill to be entitled An Act relating to the management of groundwater in the area regulated by the Edwards Aquifer Authority and to the operations and oversight of the authority.

CSHB 1292 was read second time on May 9 and was postponed until 7 a.m. today.

Representative Puente moved to postpone consideration of **CSHB 1292** until 10 a.m Friday, May 18.

The motion prevailed.

CSHB 1927 ON SECOND READING

(by Chisum)

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

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

Representative Gattis moved to postpone consideration of **CSHB 1927** until 3 p.m. today.

The motion prevailed.

CSHB 83 ON SECOND READING
(by Branch, Dutton, Goolsby, Rose, et al.)

CSHB 83, A bill to be entitled An Act relating to requiring a record vote by each house of the legislature on final passage of a bill, resolution to propose or ratify a constitutional amendment, or other nonceremonial resolution and to public notice of the record vote.

CSHB 83 was read second time on April 17, postponed until April 23, postponed until April 30, postponed until May 7, and was again postponed until 10 a.m. today.

Representative Branch moved to postpone consideration of **CSHB 83** until 10 p.m. today.

The motion prevailed.

HB 620 ON THIRD READING
(by Puente)

HB 620, A bill to be entitled An Act relating to retroactive child support and notification in cases involving an anticipated adoption that is not completed.

HB 620 was read third time on May 2 and was postponed until 11:59 p.m. today.

Representative Puente moved to postpone consideration of **HB 620** until 10 a.m. Friday, June 1.

The motion prevailed.

MAJOR STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 3107 ON THIRD READING
(by Isett)

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

A record vote was requested.

HB 3107 was passed by (Record 1160): 116 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, F.; Burnam; Callegari; Cohen; Cook, B.; Cook, R.; Crabb; Creighton; Crownover; Darby; Davis, Y.; Delisi; Deshotel; Dukes;

Dunnam; Dutton; Eiland; Eissler; Elkins; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McReynolds; Menendez; Merritt; Miles; Miller; O'Day; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Puente; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Villarreal; Vo; Woolley; Zedler; Zerwas.

Nays — Veasey.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon; Turner.

Absent — Brown, B.; Castro; Chavez; Chisum; Christian; Coleman; Corte; Davis, J.; Driver; England; Farias; Hilderbran; Hill; Howard, C.; Keffer; Krusee; Latham; Morrison; Mowery; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Pitts; Rodriguez; Straus; West.

STATEMENT OF VOTE

When Record No. 1160 was taken, I was in the house but away from my desk. I would have voted yes.

Olivo

HB 3549 ON THIRD READING (by Haggerty)

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

A record vote was requested.

HB 3549 was passed by (Record 1161): 134 Yeas, 0 Nays, 1 Present, not voting.

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

Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon; Turner.

Absent — Brown, B.; Chavez; Corte; Driver; Dutton; Farias; Hilderbran; Howard, C.; Krusee; Mowery; Puente; Rodriguez.

HB 1613 ON THIRD READING

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

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

A record vote was requested.

HB 1613 was passed by (Record 1162): 135 Yeas, 2 Nays, 1 Present, not voting.

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

Nays — Geren; Harless.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon; Turner.

Absent — Burnam; Coleman; Corte; Hardcastle; Kolkhorst; Mowery; Pierson; Rodriguez; Veasey.

HB 2935 ON THIRD READING
(by P. King and Gallego)

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

A record vote was requested.

HB 2935 was passed by (Record 1163): 141 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon; Turner.

Absent — Gonzales; Madden; Mowery; Ritter; Rodriguez.

GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING

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

HB 2285 ON THIRD READING
(by Chisum)

HB 2285, A bill to be entitled An Act relating to the renewal period for a license or registration related to radioactive materials and other sources of radiation issued by the Department of State Health Services.

A record vote was requested.

HB 2285 was passed by (Record 1164): 142 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon; Turner.

Absent — Allen; Burnam; King, P.; Mowery.

HB 2300 ON THIRD READING
(by Paxton, Lucio, et al.)

HB 2300, A bill to be entitled An Act relating to the carrying of weapons by certain judges and justices and district and county attorneys.

A record vote was requested.

HB 2300 was passed by (Record 1165): 142 Yeas, 0 Nays, 1 Present, not voting.

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

Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon; Turner.

Absent — Darby; Mallory Caraway; Mowery; Zedler.

HB 2365 ON THIRD READING
(by Truitt, Isett, Eiland, Keffer, Villarreal, et al.)

HB 2365, A bill to be entitled An Act relating to financial accounting and reporting for this state and political subdivisions of this state.

A record vote was requested.

HB 2365 was passed by (Record 1166): 142 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — McClendon; Turner.

Absent — Branch; Homer; Mallory Caraway; Mowery.

STATEMENTS OF VOTE

When Record No. 1166 was taken, I was in the house but away from my desk. I would have voted yes.

Branch

I was shown voting yes on Record No. 1166. I intended to vote no.

Harper-Brown

When Record No. 1166 was taken, I was in the house but away from my desk. I would have voted yes.

Homer

I was shown voting yes on Record No. 1166. I intended to vote no.

Latham

(McClendon and Turner now present)

HB 2402 ON THIRD READING
(by Truitt)

HB 2402, A bill to be entitled An Act relating to restrictive covenants that grant easements to certain property owners' associations.

Amendment No. 1

Representative Callegari offered the following amendment to **HB 2402**:

Amend **HB 2402** on third reading by adding the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Chapter 209, Property Code, is amended by adding Section 209.013 to read as follows:

Sec. 209.013. AUTHORITY OF ASSOCIATION TO AMEND A DEDICATORY INSTRUMENT. (a) A dedicatory instrument created by a developer of a residential subdivision or by a property owners' association in which the developer has a majority of the voting rights or that the developer otherwise controls under the terms of the dedicatory instrument may not prohibit the amendment of any provision of the dedicatory instrument by the property owners' association after the developer no longer controls the association or the board of directors.

(b) A provision in a dedicatory instrument that violates this section is void and unenforceable.

(b) Except as specifically provided by a dedicatory instrument in a provision that existed before the effective date of this Act, the change in law made by this section applies to a dedicatory instrument created before, on, or after the effective date of this Act.

Amendment No. 1 was adopted.

A record vote was requested.

HB 2402, as amended, was passed by (Record 1167): 137 Yeas, 1 Nays, 1 Present, not voting.

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

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

Nays — Aycock.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Delisi; England; Flores; Haggerty; Hilderbran; Jones; Mallory Caraway; Merritt; Mowery; Turner.

HB 2403 ON THIRD READING **(by Darby)**

HB 2403, A bill to be entitled An Act relating to prohibiting fees for future transfers of real property.

A record vote was requested.

HB 2403 was passed by (Record 1168): 135 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Elkins; Gallego; Heflin; Hilderbran; Hochberg; Hughes; Jones; Martinez Fischer; Miles; Mowery; Pierson; Rodriguez; Smithee.

STATEMENT OF VOTE

When Record No. 1168 was taken, my vote failed to register. I would have voted yes.

Gallego

HB 2493 ON THIRD READING (by Berman)

HB 2493, A bill to be entitled An Act relating to the applicability of restrictions on the representation of a person before a state regulatory agency by a former employee of the agency.

A record vote was requested.

HB 2493 was passed by (Record 1169): 142 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Bonnen; Flores; Gallego; Hughes; Merritt; Mowery.

STATEMENT OF VOTE

When Record No. 1169 was taken, my vote failed to register. I would have voted yes.

Gallego

HB 2529 ON THIRD READING
(by Patrick, Raymond, et al.)

HB 2529, A bill to be entitled An Act relating to field testing of assessment instruments on public school campuses.

Amendment No. 1

Representative Patrick offered the following amendment to **HB 2529**:

Amend **HB 2529** (House Committee Report) by inserting the following on page 1, between lines 17 and 18, and renumbering the subsequent sections accordingly:

"SECTION 2. Section 39.023, Education Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) In adopting a schedule for the administration of assessment instruments under this section, the State Board of Education shall require assessment instruments administered under Subsection (a) to be administered on a schedule so that the first assessment instrument is administered at least two weeks later than the date on which the first assessment instrument was administered under Subsection (a) during the 2006-2007 school year."

Amendment No. 1 was adopted.

A record vote was requested.

HB 2529, as amended, was passed by (Record 1170): 145 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Aycock; Miles; Mowery.

STATEMENTS OF VOTE

When Record No. 1170 was taken, my vote failed to register. I would have voted yes.

Aycock

When Record No. 1170 was taken, I was in the house but away from my desk. I would have voted yes.

Miles

HB 3624 ON THIRD READING
(by Ritter)

HB 3624, A bill to be entitled An Act relating to the protection of coastal resources; providing for administrative penalties.

A record vote was requested.

HB 3624 was passed by (Record 1171): 145 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Crownover; Dutton; Mowery.

HB 2733 ON THIRD READING
(by Gattis)

HB 2733, A bill to be entitled An Act relating to the creation of an office of state contract management at the Texas Building and Procurement Commission.

A record vote was requested.

HB 2733 was passed by (Record 1172): 146 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Mowery; Vaught.

HB 2982 ON THIRD READING **(by Hardcastle and Otto)**

HB 2982, A bill to be entitled An Act relating to the ad valorem tax appraisal of oil or gas interests.

A record vote was requested.

HB 2982 was passed by (Record 1173): 143 Yeas, 0 Nays, 1 Present, not voting.

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

Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Crownover; Elkins; King, S.; Mowery; Van Arsdale.

HB 3098 ON THIRD READING

(by Puente)

HB 3098, A bill to be entitled An Act relating to the fees imposed by the Texas Commission on Environmental Quality in connection with plans that are subject to review and approval under the commission's rules for the protection of the Edwards Aquifer.

A record vote was requested.

HB 3098 was passed by (Record 1174): 143 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Madden; Mowery; Smith, T.; Thompson; Veasey.

HB 3197 ON THIRD READING

(by Hartnett)

HB 3197, A bill to be entitled An Act relating to expunction of a notice of lis pendens.

A record vote was requested.

HB 3197 was passed by (Record 1175): 143 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Madden; Mowery; Pitts; Van Arsdale; Zedler.

HB 3202 ON THIRD READING
(by Madden, Strama, and Rodriguez)

HB 3202, A bill to be entitled An Act relating to the provision of a competitive grant program at the Texas Education Agency funding disciplinary programs for at-risk youth.

A record vote was requested.

HB 3202 was passed by (Record 1176): 140 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Chisum; Giddings; Harper-Brown; Mowery; Parker; Vaught; Villarreal; Zedler.

STATEMENT OF VOTE

When Record No. 1176 was taken, I was in the house but away from my desk. I would have voted yes.

Parker

HB 3470 ON THIRD READING (by Delisi)

HB 3470, A bill to be entitled An Act relating to the program of supplemental health coverage for individuals eligible under the TRICARE military health system offered through the Employees Retirement System of Texas.

A record vote was requested.

HB 3470 was passed by (Record 1177): 147 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Mowery.

HB 3502 ON THIRD READING
(by Hilderbran, Gattis, Macias, and Gallego)

HB 3502, A bill to be entitled An Act relating to the protection and preservation of caves; providing penalties.

A record vote was requested.

HB 3502 was passed by (Record 1178): 144 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Cook, R.; Jones; Mowery; Quintanilla.

HB 3513 ON THIRD READING
(by J. Davis)

HB 3513, A bill to be entitled An Act relating to temporary change of ownership licenses for nursing home facilities.

A record vote was requested.

HB 3513 was passed by (Record 1179): 144 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent — Coleman; Giddings; Mowery; Turner.

(Bohac in the chair)

HB 3860 ON THIRD READING

(by Orr)

HB 3860, A bill to be entitled An Act relating to the authority of emergency service districts to receive property from other political subdivisions without complying with notice and bidding requirements for the sale or exchange of land.

A record vote was requested.

HB 3860 was passed by (Record 1180): 144 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent — Miles; Mowery; Taylor.

HB 1849 ON THIRD READING
(by Hancock)

HB 1849, A bill to be entitled An Act relating to certain fees for valuing life insurance policies.

A record vote was requested.

HB 1849 was passed by (Record 1181): 144 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent — Mallory Caraway; Mowery; Solomons.

HB 3618 ON THIRD READING
(by Raymond, Guillen, T. King, Pickett, Escobar, et al.)

HB 3618, A bill to be entitled An Act relating to a coordinated health program for school districts located in the border region.

A record vote was requested.

HB 3618 was passed by (Record 1182): 139 Yeas, 1 Nays, 2 Present, not voting.

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

Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Smith, T.; Smith, W.; Smithee; Strama; Straus; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Nays — Harper-Brown.

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

Absent, Excused — Moreno.

Absent — Crossover; Hernandez; Lucio; Mowery; Rose; Solomons; Taylor.

STATEMENT OF VOTE

When Record No. 1182 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

HB 1111 ON THIRD READING (by Turner)

HB 1111, A bill to be entitled An Act relating to prohibitions on and reporting concerning medical, psychiatric, and other research on children committed to the Texas Youth Commission.

A record vote was requested.

HB 1111 was passed by (Record 1183): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crossover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzalez Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Macias; Madden; Mallory Caraway; Martinez; Martinez

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

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

Absent, Excused — Moreno.

Absent — Gonzales; Hernandez; Hughes; Lucio; Mowery; Turner.

HB 3220 ON THIRD READING

(by Elkins)

HB 3220, A bill to be entitled An Act relating to the environmental regulation and remediation of dry cleaning facilities.

A record vote was requested.

HB 3220 was passed by (Record 1184): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent — Hernandez; Lucio; Mowery; Rodriguez; Solomons; Veasey.

HB 3739 ON THIRD READING

(by Crownover)

HB 3739, A bill to be entitled An Act relating to fees on the delivery of certain petroleum products.

A record vote was requested.

HB 3739 was passed by (Record 1185): 133 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent — Anchia; Crownover; Frost; Hernandez; Homer; Latham; Leibowitz; Mowery; Murphy; Otto; Pierson; Taylor; Turner; Zerwas.

STATEMENTS OF VOTE

When Record No. 1185 was taken, I was in the house but away from my desk. I would have voted yes.

Crownover

When Record No. 1185 was taken, I was in the house but away from my desk. I would have voted yes.

Homer

When Record No. 1185 was taken, I was in the house but away from my desk. I would have voted yes.

Taylor

HB 2216 ON THIRD READING (by Turner)

HB 2216, A bill to be entitled An Act relating to the regulation of the sale of certain mobility motor vehicles equipped to transport a person with a disability.

A record vote was requested.

HB 2216 was passed by (Record 1186): 142 Yeas, 1 Nays, 3 Present, not voting.

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

Nays — Hughes.

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

Absent, Excused — Moreno.

Absent — Creighton; Flores; Mowery.

STATEMENT OF VOTE

I was shown voting no on Record No. 1186. I intended to vote yes.

Hughes

HB 3407 ON THIRD READING (by Hamilton)

HB 3407, A bill to be entitled An Act relating to the appointment of emergency services boards in districts located in more than one county.

A record vote was requested.

HB 3407 was passed by (Record 1187): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee;

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

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

Absent, Excused — Moreno.

Absent — Eiland; Hughes; Mowery.

LEAVE OF ABSENCE GRANTED

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

Kolkhorst on motion of Straus.

HB 1978 ON THIRD READING (by Taylor)

HB 1978, A bill to be entitled An Act relating to assessments for the Texas Health Insurance Risk Pool.

A record vote was requested.

HB 1978 was passed by (Record 1188): 138 Yeas, 3 Nays, 2 Present, not voting.

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

Nays — Allen; Leibowitz; Vaught.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Bolton; Burnam; Hughes; Mowery; Thompson.

STATEMENT OF VOTE

I was shown voting yes on Record No. 1188. I intended to vote no.

Herrero

HB 3168 ON THIRD READING (by Swinford)

HB 3168, A bill to be entitled An Act relating to incentives for and the regulation of biofuel production and distribution in this state.

A record vote was requested.

HB 3168 was passed by (Record 1189): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Creighton; Hernandez; Mowery; Quintanilla; Rodriguez.

HB 2383 ON THIRD READING (by Lucio, Guillen, Leibowitz, and Herrero)

HB 2383, A bill to be entitled An Act relating to the provision to certain public school students of a subsidy to pay the costs of a trade or occupation certification examination.

A record vote was requested.

HB 2383 was passed by (Record 1190): 142 Yeas, 2 Nays, 2 Present, not voting.

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

Nays — Jackson; Miller.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Hernandez; Mowery.

HB 3358 ON THIRD READING **(by Smithee)**

HB 3358, A bill to be entitled An Act relating to prior approval of property and casualty insurance rates under certain circumstances.

Amendment No. 1

Representative Gallego offered the following amendment to **HB 3358**:

Amend **HB 3358** (House Committee Printing) as follows:

(1) On page 1, line 6, strike "adding Subsection (a-1)" and substitute "adding Subsections (a-1) and (a-2) and amending Subsection (c)".

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

(a-2) The commissioner by order shall require an insurer to file with the department for the commissioner's approval all rates, supplementary rating information, and any supporting information in accordance with this subchapter if the commissioner determines that the insurer is using an average rate for a line of insurance that is 75 percent or more higher than the national average rate for that same line of insurance.

(c) The commissioner:

(1) may require an insurer to file the insurer's rates under this section until the commissioner determines that the conditions described by Subsection (a) no longer exist; and

(2) shall require an insurer to file the insurer's rates under this section until the commissioner determines that the condition described by Subsection (a-2) no longer exists.

A record vote was requested.

Amendment No. 1 failed of adoption by (Record 1191): 58 Yeas, 83 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Burnam; Castro; Chavez; Cohen; Coleman; Corte; Creighton; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Escobar; Farabee; Farias; Farrar; Frost; Gallego; Garcia; Gattis; Geren; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Heflin; Hernandez; Herrero; Hochberg; Hopson; Howard, D.; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; Menendez; Miles; Naishtat; Noriega; Olivo; Ortiz; Peña; Pickett; Pierson; Puente; Raymond; Rodriguez; Rose; Strama; Van Arsdale; Vaught; Veasey; Villarreal.

Nays — Anderson; Aycock; Bailey; Berman; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Cook, R.; Crabb; Crownover; Darby; Davis, J.; Delisi; Driver; Eiland; Eissler; Elkins; England; Flores; Flynn; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Homer; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; McClendon; McReynolds; Merritt; Miller; Morrison; Murphy; O'Day; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pitts; Quintanilla; Riddle; Ritter; Smith, T.; Smith, W.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Thompson; Truitt; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Giddings; Mowery; Turner; Vo.

STATEMENTS OF VOTE

I was shown voting no on Record No. 1191. I intended to vote yes.

Bolton

I was shown voting yes on Record No. 1191. I intended to vote no.

Gattis

I was shown voting yes on Record No. 1191. I intended to vote no.

Geren

I was shown voting yes on Record No. 1191. I intended to vote no.

Van Arsdale

LEAVES OF ABSENCE GRANTED

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

Gattis on motion of Homer.

Turner on motion of Homer.

HB 3358 - (consideration continued)

Amendment No. 2

Representative Garcia offered the following amendment to **HB 3358**:

Amend **HB 3358** as follows:

(1) On page 1, strike line 6 and substitute "adding Subsections (a-1) and (a-2) and amending Subsection (c) to read as follows:

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

(a-2) The commissioner by order shall require an insurer to file with the department for the commissioner's approval all rates, supplementary rating information, and any supporting information in accordance with this subchapter if the commissioner determines that the insurer is not in compliance with Section 525.002.

(c) The commissioner may require an insurer to file the insurer's rates under this section until the commissioner determines that the conditions described by Subsection (a) or (a-2), as applicable, no longer exist.

(3) Insert the following appropriately numbered SECTION and renumber SECTIONS of the bill accordingly:

SECTION ____ . Subtitle B, Title 5, Insurance Code, is amended by adding Chapter 525 to read as follows:

CHAPTER 525. NOTICE CONCERNING ENTITLEMENT TO CERTAIN REPORTS

Sec. 525.001. APPLICABILITY. This chapter applies to an insurer that is subject to Subchapter A, B, C, D, or E, Chapter 2251, including a Lloyd's plan, reciprocal or interinsurance exchange, or county mutual insurance company.

Sec. 525.002. CLAIMS HISTORY REPORTS. At least twice annually, an insurer that writes residential property insurance or personal automobile insurance in this state shall notify in writing each holder of a residential property insurance policy or personal automobile insurance policy issued by the insurer in this state of:

(1) the policyholder's right under the Fair Credit Reporting Act (15 U.S.C. Section 1681, et seq.) to request and receive free consumer reports concerning the policyholder, including insurance claims history reports compiled by a national or regional clearinghouse or other organization; and

(2) the manner in which the policyholder may request those reports.

Amendment No. 2 - Point of Order

Representative Eiland raised a point of order against further consideration of Amendment No. 2 under Rule 8, Section 3 of the House Rules on the grounds that it violates the one subject rule.

The chair sustained the point of order.

The ruling precluded further consideration of Amendment No. 2.

A record vote was requested.

HB 3358 was passed by (Record 1192): 138 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Deshotel; Flores; King, S.; McClendon; Mowery; Peña.

STATEMENT OF VOTE

When Record No. 1192 was taken, my vote failed to register. I would have voted yes.

S. King

HB 3223 ON THIRD READING
(by Elkins)

HB 3223, A bill to be entitled An Act relating to public improvement districts designated by a county or municipality.

A record vote was requested.

HB 3223 was passed by (Record 1193): 139 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Deshotel; Farrar; Mowery; Peña; Smith, W.

HB 1503 ON THIRD READING
(by Lucio, Escobar, Peña, Goolsby, O'Day, et al.)

HB 1503, A bill to be entitled An Act relating to allowing certain assistant district and county attorneys to carry weapons.

A record vote was requested.

HB 1503 was passed by (Record 1194): 138 Yeas, 0 Nays, 3 Present, not voting.

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

Paxton; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Deshotel; Driver; Farrar; Mowery; Peña.

HB 1786 ON THIRD READING
(by Swinford)

HB 1786, A bill to be entitled An Act relating to an exemption for certain programs from the child-care licensing requirements.

Amendment No. 1

Representative Homer offered the following amendment to **HB 1786**:

Amend **HB 1786** on third reading as follows:

(1) On page 4, line 1, strike "or".

(2) On page 4, line 7, between "days" and the period, insert the following:

; or

(17) an elementary-age (ages 5-13) recreational program operated by a nonprofit corporation that:

(A) adopts standards of care, including standards relating to staff ratios, staff training, health, and safety;

(B) provides a mechanism for monitoring and enforcing the standards and receiving complaints from parents of enrolled children;

(C) does not advertise as a child-care facility or day-care center and informs parents that it is not licensed by the state;

(D) does not collect compensation for its services;

(E) allows parents to enroll children in and remove children from the program at will; and

(F) conducts background checks using information from the Department of Public Safety for all program employees and volunteers who work with children

Amendment No. 1 was adopted.

Amendment No. 2

Representative Villarreal offered the following amendment to **HB 1786**:

Amend **HB 1786** (House Committee Printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 42, Human Resources Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. REGULATION OF EMPLOYER-BASED DAY-CARE
FACILITIES

Sec. 42.151. DEFINITIONS. In this subchapter:

- (1) "Employer-based day-care facility" means a day-care facility that is:
(A) operated by a small employer to provide care to not more than
12 children of the employer's employees; and
(B) located on the employer's premises.
- (2) "Small employer" means a corporation, partnership, sole
proprietorship, or other legal entity that employs fewer than 50 full-time
employees.

Sec. 42.152. PERMIT REQUIRED. (a) Except as provided by Subsection
(b), a small employer may not operate an employer-based day-care facility unless
the employer holds a permit issued by the department under this subchapter.

(b) A small employer is not required to obtain a permit to operate an
employer-based day-care facility under this subchapter if the employer holds a
license to operate a child-care facility that is issued by the department under
Subchapter C. An employer that holds that license must comply with the
applicable provisions of Subchapter C, the applicable rules of the department, and
any specific terms of the license.

(c) Notwithstanding any other law, including Section 42.041, a small
employer that holds a permit issued under this subchapter is not required to hold a
license under Subchapter C to operate an employer-based day-care facility.

Sec. 42.153. APPLICATION; INITIAL INSPECTION AND
BACKGROUND AND CRIMINAL HISTORY CHECKS. (a) The department
shall develop and implement a streamlined procedure by which a small employer
may apply for and be issued a permit to operate an employer-based day-care
facility. The employer must submit an application for the permit to the
department on a form prescribed by the department.

(b) Except as provided by Section 42.154, on receipt of a small employer's
application for a permit, the department shall:

(1) conduct an initial inspection of the employer-based day-care facility
to ensure that the employer is able to comply with the provisions of this
subchapter and that the facility complies with the fire safety and sanitation
standards of the political subdivision in which the facility is located; and

(2) conduct a background and criminal history check on each
prospective caregiver whose name is submitted as required by Section 42.159(a).

(c) The department may charge an applicant an administrative fee in a
reasonable amount that is sufficient to cover the costs of the department in
processing the application.

(d) The department shall process an application not later than the 30th day
after the date the department receives all of the required information.

Sec. 42.154. CONVERSION OF LICENSE. (a) The department shall
develop and implement a procedure by which a small employer that holds a
license to operate a child-care facility that is issued under Subchapter C before

September 1, 2007, may convert the license to a permit under this subchapter. The procedure must include an abbreviated application form for use by the employer in applying for the permit.

(b) The department may waive the requirements under Section 42.153(b) for an initial inspection or background and criminal history checks with respect to a facility operated by a small employer seeking to convert a license to a permit under this section if the department determines that previously conducted inspections or background and criminal history checks, as applicable, are sufficient to ensure the safety of children receiving care at the facility.

Sec. 42.155. PARENT OR GUARDIAN WITHIN IMMEDIATE VICINITY. An employer-based day-care facility operating under this subchapter may provide care only for a child whose parent or guardian:

(1) is an employee of the small employer to which the permit to operate the facility was issued;

(2) works within the same building in which the facility is located; and

(3) is away from that building only for limited periods, as defined by department rules, during the hours the child is receiving care.

Sec. 42.156. CAREGIVER-TO-CHILD RATIO. An employer-based day-care facility operating under this subchapter shall maintain a caregiver-to-child ratio of at least one caregiver to every four children receiving care.

Sec. 42.157. MINIMUM STANDARDS. The department shall encourage an employer-based day-care facility operating under this subchapter to comply with the minimum standards applicable to a child-care facility licensed under Subchapter C.

Sec. 42.158. CAREGIVER QUALIFICATIONS. A caregiver employed by an employer-based day-care facility operating under this subchapter must:

(1) be at least 18 years of age;

(2) have received a high school diploma or its equivalent, as determined by the department;

(3) receive at least the minimum training required for an employee of a licensed day-care center as prescribed by department rules in accordance with Sections 42.042(p) and 42.0421;

(4) have a Child Development Associate or Certified Child-Care Professional credential or an equivalent credential, as determined by the department; and

(5) not have been precluded from providing direct care or having direct access to a child by the department based on the results of a background and criminal history check conducted under Section 42.159.

Sec. 42.159. BACKGROUND AND CRIMINAL HISTORY CHECKS REQUIRED. (a) In accordance with rules adopted by the executive commissioner, a small employer shall, when applying for a permit under this subchapter and at least once during each 24 months after receiving that permit, submit to the department for use in conducting background and criminal history checks:

(1) the name of any director of the employer-based day-care facility and the name of each caregiver employed at the facility to provide care to children; and

(2) the name of each person 14 years of age or older who will regularly or frequently be staying or working at the facility while children are being provided care.

(b) The small employer shall also submit to the department for use in conducting background and criminal history checks the name of each prospective caregiver who will provide care to children at the facility or other prospective employee who will have direct access to those children.

(c) The department shall conduct background and criminal history checks using:

(1) the information provided under Subsection (a) or (b), as applicable;

(2) the information made available by the Department of Public Safety under Section 411.114, Government Code, or by the Federal Bureau of Investigation or other criminal justice agency under Section 411.087, Government Code; and

(3) the department's records of reported abuse and neglect.

(d) For purposes of Sections 411.114 and 411.087, Government Code:

(1) a small employer that applies for a permit is considered an applicant for a license under this chapter; and

(2) an employer-based day-care facility operating under a permit issued under this subchapter is considered a child-care facility licensed under this chapter.

(e) The department shall require the small employer to pay to the department a fee in an amount not to exceed the administrative costs the department incurs in conducting a background and criminal history check under this section.

Sec. 42.160. APPLICABILITY OF OTHER LAW. Except as otherwise provided by this subchapter, an employer-based day-care facility operating under this subchapter is not a child-care facility, as defined by Section 42.002, and the provisions of this chapter and the department's rules that apply to a child-care facility licensed under Subchapter C do not apply to an employer-based day-care facility.

Sec. 42.161. REPORTING OF INCIDENTS AND VIOLATIONS. An employer-based day-care facility operating under this subchapter and each employee of that facility are subject to the reporting requirements of Section 42.063 to the same extent a licensed child-care facility and employees of licensed child-care facilities are subject to that section.

Sec. 42.162. AUTHORITY TO CONDUCT LIMITED INSPECTIONS. (a) The department may inspect an employer-based day-care facility operating under this subchapter if the department receives a complaint or report of child abuse or neglect alleged to have occurred at the facility.

(b) If the department inspects an employer-based day-care facility as authorized by this section, the department may require the small employer operating the facility to take appropriate corrective action the department

determines necessary to comply with the requirements of this subchapter and to ensure the health and safety of children receiving care at the facility. The department may continue to inspect the facility until corrective action is taken and for a reasonable time after that action is taken to ensure continued compliance.

(c) The department may charge a small employer issued a permit under this subchapter a reasonable fee for the cost of services provided by the department in formulating, monitoring, and implementing a corrective action plan under this section.

Sec. 42.163. SUSPENSION, DENIAL, OR REVOCATION. (a) The department may suspend, deny, or revoke a permit issued to a small employer under this subchapter if the employer does not comply with the provisions of this subchapter or any applicable department rules.

(b) The department may refuse to issue a permit under this subchapter to a small employer that had its authorization to operate a child-care facility issued under another subchapter revoked, suspended, or not renewed for a reason relating to child health or safety as determined by the department.

(c) An employer-based day-care facility is subject to the emergency suspension of its permit to operate and to closure under Section 42.073 to the same extent and in the same manner as a licensed child-care facility is subject to that section.

Sec. 42.164. EXPIRATION. (a) This subchapter expires September 1, 2009.

(b) A small employer operating an employer-based day-care facility under this subchapter may not continue to operate the facility after the date this subchapter expires as provided by Subsection (a) unless the small employer applies for and is issued a license to operate a child-care facility under this chapter.

Amendment No. 2 was adopted.

A record vote was requested.

HB 1786, as amended, was passed by (Record 1195): 143 Yeas, 0 Nays, 2 Present, not voting.

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

Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Mowery.

HB 3693 ON THIRD READING
(by Straus, Anchia, Crabb, P. King, Oliveira, et al.)

HB 3693, A bill to be entitled An Act relating to energy demand, energy load, energy efficiency incentives, energy programs, and energy performance measures.

Amendment No. 1

Representative Leibowitz offered the following amendment to **HB 3693**:

Amend **HB 3693** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION _____. Subchapter B, Chapter 2165, Government Code, is amended by adding Section 2165.058 to read as follows:

Sec. 2165.058. VENDING MACHINES; ENERGY-SAVING DEVICE REQUIRED. (a) This section does not apply to a vending machine that contains a perishable food product, as defined by Section 96.001, Civil Practice and Remedies Code.

(b) The commission shall require an entity that owns or operates a vending machine located in a building owned or leased by the state to activate and maintain any internal energy-saving or energy-management device or option that is already part of the machine or contained in the machine.

(c) The commission shall require the use of an external energy-saving or energy-management device for each vending machine that:

(1) is located in a building owned or leased by the state;

(2) operates with a compressor; and

(3) does not have an activated and operational internal energy-saving or energy-management device or option.

(d) An entity that owns or operates a vending machine subject to this section is responsible for any expenses associated with the acquisition, installation, or maintenance of an energy-saving device required by this section.

(e) The commission may impose an administrative fine on an entity that operates a vending machine subject to this section in an amount not to exceed \$250 a year for each machine found to be in violation of this section or rules adopted by the commission under this section.

(f) The commission shall adopt rules relating to the specifications for and regulation of energy-saving devices required by this section.

SECTION _____. Section 2165.058(c), Government Code, as added by this Act, applies only to an entity that contracts with the Texas Building and Procurement Commission or another state agency to install or operate a vending machine on or after the effective date of this Act.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Leibowitz offered the following amendment to **HB 3693**:

Amend **HB 3693** as follows:

(1) On page 13, line 5, strike "and 39.9052," and substitute "39.9052, and 39.911(e),".

(2) Add the following section to the bill, numbered appropriately:

SECTION _____. Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.911 to read as follows:

Sec. 39.911. CREDIT FOR SURPLUS SOLAR GENERATION BY PUBLIC SCHOOLS. (a) An electric utility or retail electric provider shall provide for net metering and contract with an independent school district so that:

(1) surplus electricity produced by a school building's solar electric generation panels is made available for sale to the electric transmission grid and distribution system; and

(2) the net value of that surplus electricity is credited to the district.

(b) For areas of this state in which customer choice has not been introduced, the commission by rule shall require that credits for electricity produced by a school building's solar electric generation panels reflect the value of the electricity that is made available for sale to the electric utility in accordance with federal regulations.

(c) For independent school districts in areas in which customer choice has been introduced, the district must sell the school buildings' surplus electricity produced to the retail electric provider that serves the school district's load at a value agreed to between the district and the provider that serves the district's load. The agreed value may be based on the clearing price of energy at the time of day that the electricity is made available to the grid. The independent organization identified in Section 39.151 shall develop procedures so that the amount of electricity purchased from a district under this section is accounted for in settling the total load served by the provider that serves the district's load. A district requesting net metering services for purposes of this section must have metering devices capable of providing measurements consistent with the independent organization's settlement requirements.

(d) A transmission and distribution utility shall make available to an independent school district for purposes of this section metering required for services provided under this section, including separate meters that measure the load and generator output or a single meter capable of measuring separately in-flow and out-flow at the point of common coupling meter point. The district

must pay the differential cost of the metering unless the meters are provided at no additional cost. Except as provided by this section, Section 39.107 applies to metering under this section.

(e) A municipally owned utility or electric cooperative shall consider and complete the determinations regarding net metering service as provided by the federal Public Utility Regulatory Policies Act of 1978 (16 U.S.C. Section 2601 et seq., as amended by the federal Energy Policy Act of 2005 (Pub. L. No. 109-058)) after proceedings conducted in accordance with that law. A municipally owned utility or electric cooperative shall report the determinations made under this subsection to the State Energy Conservation Office and include in that report information regarding metering electricity generated by solar panels on public school building rooftops.

(3) Renumber subsequent sections of the bill accordingly.

Amendment No. 2 was adopted.

A record vote was requested.

HB 3693, as amended, was passed by (Record 1196): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Hardcastle; Hodge; Mowery.

REASON FOR VOTE

A key provision of **HB 3693** is SECTION 19, which expands the goals for energy efficiency in the electric industry, provides cost recovery and incentives for utilities to enlarge their successful energy efficiency programs, and directs the Public Utilities Commission to begin computing and reporting projected energy

savings by January 1 of next year and complete a comprehensive study by January 15, 2009, that should tell us whether even greater energy savings are achievable in this industry. Ultimately we may conclude that energy efficiency in the electric industry will be market driven and self-sustaining, but in the interim, I believe it is most beneficial to the consumers in the state to provide positive incentives for electric utilities to exceed even the new energy efficiency goals in this bill.

Straus

HB 2460 ON THIRD READING

(by Flynn, B. Cook, Truitt, Kolkhorst, and McClendon)

HB 2460, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on the Arts.

A record vote was requested.

HB 2460 was passed by (Record 1197): 140 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Coleman; Garcia; Miles; Mowery.

STATEMENT OF VOTE

When Record No. 1197 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

HB 2864 ON THIRD READING
(by Chisum)

HB 2864, A bill to be entitled An Act relating to a pilot program to provide supplemental technology-based instruction to students in rural school districts.

A record vote was requested.

HB 2864 was passed by (Record 1198): 142 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Jones; Mowery.

HB 3083 ON THIRD READING
(by Phillips)

HB 3083, A bill to be entitled An Act relating to the creation of a judicial district in Grayson County and to the composition of the 6th Judicial District and the 336th Judicial District.

A record vote was requested.

HB 3083 was passed by (Record 1199): 142 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Hardcastle; Mowery.

HB 3093 ON THIRD READING **(by C. Howard)**

HB 3093, A bill to be entitled An Act relating to verification of a customer's zip code in a credit card transaction.

A record vote was requested.

HB 3093 was passed by (Record 1200): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Hill; Mowery; Quintanilla.

POSTPONED BUSINESS

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

SB 625 ON THIRD READING (J. Davis - House Sponsor)

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

SB 625 was read third time on May 1, postponed until May 3, postponed until May 7, postponed until May 9, postponed until 9 a.m. today, and was again postponed until this time.

Amendment No. 1

Representative Eiland offered the following amendment to **SB 625**:

Amend **SB 625** on third reading by striking all below the enacting clause and substituting the following:

SECTION 1. Section 562.014, Occupations Code, is amended to read as follows:

Sec. 562.014. ~~[APPLICATION TO]~~ NARROW THERAPEUTIC INDEX DRUGS. (a) Except as provided by this section, drug selection as authorized by this subchapter does not apply to the refill of a prescription for a narrow therapeutic index drug. The board, in consultation with the Texas Medical ~~[State]~~ Board ~~[of Medical Examiners]~~, shall by rule establish a list of narrow therapeutic index drugs to which this subsection applies. A prescription for a narrow therapeutic index drug may be refilled only by using the same drug product by the same manufacturer that the pharmacist last dispensed under the prescription, unless otherwise agreed to by the prescribing practitioner ~~[physician]~~. If a pharmacist does not have the same drug product ~~by the same~~ manufacturer in stock to refill the prescription, the pharmacist may dispense a drug product that is generically equivalent if the pharmacist, before dispensing the generically equivalent drug product, notifies:

(1) the patient, at the time the prescription is dispensed, that a substitution of the prescribed drug product has been made; and

(2) the prescribing practitioner ~~[physician]~~ of the drug product substitution by telephone, facsimile, or mail, at the earliest reasonable time, but not later than 72 hours after dispensing the prescription.

(b) The board and the Texas Medical Board shall establish a joint committee to recommend to the board a list of narrow therapeutic index drugs and the rules, if any, by which this section applies to those drugs. The committee must consist of an equal number of members from each board. The committee members shall select a member of the committee to serve as presiding officer for a one year term. The presiding officer may not represent the same board as the presiding officer's predecessor.

(c) The committee shall make a recommendation to the board on whether to include a drug on the list of narrow therapeutic index drugs as required by Section 562.0142. In the event of a tie vote by the committee on whether to recommend that a drug listed in this subsection be included on the list of narrow therapeutic index drugs, the committee shall recommend to the board that the drug not be placed on the list. The committee shall consider for inclusion in the list of narrow therapeutic index drugs the following drugs:

- (1) Tegretol/Tegretol XR (carbamazepine);
- (2) Depakote/Depakote ER (valproic acid);
- (3) Dilantin (phenytoin);
- (4) Lamictal (lamotrigine);
- (5) Zarontin (ethosuximide);
- (6) Keppra (levetiracetam);
- (7) Topamax (topiramate);
- (8) Trileptal (oxcarbazepine);
- (9) Zonegran (zonisamide);
- (10) Felbatol (felbamate);
- (11) Depakote DR;
- (12) Depakote ER;
- (13) Depacon;
- (14) Depakote Sprinkles;
- (15) Depakene;
- (16) Prograf;
- (17) Cellcept;
- (18) Neoral;
- (19) Rapamune; and
- (20) Sandimmune.

(d) Subsection (c) and this subsection expire December 31, 2008.

SECTION 2. Subchapter A, Chapter 562, Occupations Code, is amended by adding Sections 562.0141 and 562.0142 to read as follows:

Sec. 562.0141. TRANSPLANT IMMUNOSUPPRESSANT DRUG PRODUCT SELECTION PROHIBITED. (a) In this section:

(1) "Immunosuppressant drug" means any drug prescribed for immunosuppressant therapy following a transplant.

(2) "Interchange" means the substitution of one version of the same immunosuppressant drug, including a generic version for the prescribed brand, a brand version for the prescribed generic version, a generic version by one manufacturer for a generic version by a different manufacturer, a different formulation of the prescribed immunosuppressant drug, or a different immunosuppressant drug for the immunosuppressant drug originally prescribed.

(b) A pharmacist may not interchange an immunosuppressant drug or formulation of an immunosuppressant drug, brand or generic, for the treatment of a patient following a transplant without prior consent to the interchange from the prescribing practitioner.

(c) To comply with Subsection (b), a pharmacist shall notify a prescribing practitioner orally or electronically to secure permission to interchange an immunosuppressant drug or formulation of an immunosuppressant drug, brand or generic. The practitioner's authorization or denial of authorization must be documented by the pharmacist and by the practitioner.

(d) If a pharmacist does not have the same drug product by the same manufacturer in stock to refill the prescription, or if the practitioner is unavailable to give authorization, the pharmacist may dispense a drug product that is generically equivalent if the pharmacist, before dispensing the generally equivalent drug product:

(1) notifies and receives consent from the patient, at the time the prescription is dispensed, to substitute the prescribed drug product; and

(2) notifies the prescribing practitioner of the drug product substitution orally or electronically at the earliest reasonable time, but not later than 24 hours after dispensing the prescription.

(e) This section is only effective subject to the conditions established by Section 562.0142.

Sec. 562.0142. ADOPTION OF RULES. (a) If, not later than October 1, 2007, a drug manufacturer requests that the joint committee under Section 562.014 conduct a hearing and make a recommendation to include a drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs, the joint committee shall make a recommendation to the board to enable the board to adopt a rule and issue findings not later than July 1, 2008.

(b) If, not later than October 1, 2007, no drug manufacturer requests that the joint committee conduct a hearing and make recommendations to the board to include a drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs, Section 562.0141 expires October 1, 2007.

(c) If all drug manufacturers that request, before October 1, 2007, the joint committee to conduct a hearing and make a recommendation to the board to include a drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs subsequently withdraw those requests before the date the joint committee makes a recommendation to include the drug on that list, Section 562.0141 expires effective on the date of the manufacturers' withdrawal of those requests.

(d) If the joint committee receives a request under Subsection (a), the recommendation of the joint committee under that subsection may include the drugs listed in Section 562.014(c) or the joint committee may recommend that no drug should be added to the list of narrow therapeutic index drugs following the review by the joint committee.

(e) If the joint committee receives a request under Subsection (a) and, not later than July 1, 2008, the board adopts a rule to include any drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs or determines by rule that no drug should be added to the list of narrow therapeutic index drugs, Section 562.0141 expires on July 1, 2008.

(f) If the joint committee receives a request under Subsection (a) and the board does not before July 1, 2008, adopt a rule to include any drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs or determine by rule that no drug should be added to the list of narrow therapeutic index drugs, Section 562.0141 takes effect July 1, 2008.

(g) If the joint committee receives a request under Subsection (a) and litigation or a request for an attorney general's opinion regarding this section, Section 562.014, or Section 562.0141 is filed by a drug manufacturer between the effective date of this section and July 1, 2008, the time limits established by Subsections (e) and (f) are tolled until the litigation is resolved or the attorney general renders an opinion.

(h) For purposes of this section, notice of the following must be published in the Texas Register not later than the third business day after the date of occurrence:

(1) a request by a drug manufacturer for inclusion of a drug on the list of narrow therapeutic index drugs;

(2) withdrawal of a request described by Subdivision (1);

(3) litigation described by Subsection (g);

(4) resolution of litigation described by Subsection (g); and

(5) a request for an attorney general's opinion described by Subsection

(g).

SECTION 3. Section 562.009, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) If the prescription is for an immunosuppressant drug, as defined by Section 562.0141(a)(1), the pharmacist must comply with the provisions of Section 562.0141. This subsection expires if Section 562.0141 expires under the requirements of Section 562.0142.

SECTION 4. The Texas State Board of Pharmacy and Texas Medical Board shall establish the joint committee required by Section 562.014(b), Occupations Code, as added by this Act, not later than the 90th day after the effective date of this Act or September 1, 2007, whichever date occurs first.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

Amendment No. 2

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

Amend **SB 625** on third reading by striking all below the enacting clause and substituting the following:

SECTION 1. Section 562.014, Occupations Code, is amended to read as follows:

Sec. 562.014. [~~APPLICATION TO~~] NARROW THERAPEUTIC INDEX DRUGS. (a) Except as provided by this section, drug selection as authorized by this subchapter does not apply to the refill of a prescription for a narrow

therapeutic index drug. The board, in consultation with the Texas Medical ~~[State]~~ Board ~~[of Medical Examiners]~~, shall by rule establish a list of narrow therapeutic index drugs to which this subsection applies. A prescription for a narrow therapeutic index drug may be refilled only by using the same drug product by the same manufacturer that the pharmacist last dispensed under the prescription, unless otherwise agreed to by the prescribing practitioner ~~[physician]~~. If a pharmacist does not have the same drug product by the same manufacturer in stock to refill the prescription, the pharmacist may dispense a drug product that is generically equivalent if the pharmacist, before dispensing the generically equivalent drug product, notifies:

(1) the patient, at the time the prescription is dispensed, that a substitution of the prescribed drug product has been made; and

(2) the prescribing practitioner ~~[physician]~~ of the drug product substitution by telephone, facsimile, or mail, at the earliest reasonable time, but not later than 72 hours after dispensing the prescription.

(b) The board and the Texas Medical Board shall establish a joint committee to recommend to the board a list of narrow therapeutic index drugs and the rules, if any, by which this section applies to those drugs. The committee must consist of an equal number of members from each board. The committee members shall select a member of the committee to serve as presiding officer for a one year term. The presiding officer may not represent the same board as the presiding officer's predecessor.

(c) The committee shall make a recommendation to the board on whether to include a drug on the list of narrow therapeutic index drugs as required by Section 562.0142. In the event of a tie vote by the committee on whether to recommend that a drug listed in this subsection be included on the list of narrow therapeutic index drugs, the committee shall recommend to the board that the drug not be placed on the list. The committee shall consider for inclusion in the list of narrow therapeutic index drugs the following drugs:

- (1) Prograf;
- (2) Cellcept;
- (3) Neoral;
- (4) Rapamune; and
- (5) Sandimmune.

(d) Subsection (c) and this subsection expire December 31, 2008.

SECTION 2. Subchapter A, Chapter 562, Occupations Code, is amended by adding Sections 562.0141 and 562.0142 to read as follows:

Sec. 562.0141. TRANSPLANT IMMUNOSUPPRESSANT DRUG PRODUCT SELECTION PROHIBITED. (a) In this section:

(1) "Immunosuppressant drug" means any drug prescribed for immunosuppressant therapy following a transplant.

(2) "Interchange" means the substitution of one version of the same immunosuppressant drug, including a generic version for the prescribed brand, a brand version for the prescribed generic version, a generic version by one

manufacturer for a generic version by a different manufacturer, a different formulation of the prescribed immunosuppressant drug, or a different immunosuppressant drug for the immunosuppressant drug originally prescribed.

(b) A pharmacist may not interchange an immunosuppressant drug or formulation of an immunosuppressant drug, brand or generic, for the treatment of a patient following a transplant without prior consent to the interchange from the prescribing practitioner.

(c) To comply with Subsection (b), a pharmacist shall notify a prescribing practitioner orally or electronically to secure permission to interchange an immunosuppressant drug or formulation of an immunosuppressant drug, brand or generic. The practitioner's authorization or denial of authorization must be documented by the pharmacist and by the practitioner.

(d) If a pharmacist does not have the same drug product by the same manufacturer in stock to refill the prescription, or if the practitioner is unavailable to give authorization, the pharmacist may dispense a drug product that is generically equivalent if the pharmacist, before dispensing the generally equivalent drug product:

(1) notifies and receives consent from the patient, at the time the prescription is dispensed, to substitute the prescribed drug product; and

(2) notifies the prescribing practitioner of the drug product substitution orally or electronically at the earliest reasonable time, but not later than 24 hours after dispensing the prescription.

(e) This section is only effective subject to the conditions established by Section 562.0142.

Sec. 562.0142. ADOPTION OF RULES. (a) If, not later than October 1, 2007, a drug manufacturer requests that the joint committee under Section 562.014 conduct a hearing and make a recommendation to include a drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs, the joint committee shall make a recommendation to the board to enable the board to adopt a rule and issue findings not later than July 1, 2008.

(b) If, not later than October 1, 2007, no drug manufacturer requests that the joint committee conduct a hearing and make recommendations to the board to include a drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs, Section 562.0141 expires October 1, 2007.

(c) If all drug manufacturers that request, before October 1, 2007, the joint committee to conduct a hearing and make a recommendation to the board to include a drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs subsequently withdraw those requests before the date the joint committee makes a recommendation to include the drug on that list, Section 562.0141 expires effective on the date of the manufacturers' withdrawal of those requests.

(d) If the joint committee receives a request under Subsection (a), the recommendation of the joint committee under that subsection may include the drugs listed in Section 562.014(c) or the joint committee may recommend that no drug should be added to the list of narrow therapeutic index drugs following the review by the joint committee.

(e) If the joint committee receives a request under Subsection (a) and, not later than July 1, 2008, the board adopts a rule to include any drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs or determines by rule that no drug should be added to the list of narrow therapeutic index drugs, Section 562.0141 expires on July 1, 2008.

(f) If the joint committee receives a request under Subsection (a) and the board does not before July 1, 2008, adopt a rule to include any drug listed in Section 562.014(c) on the list of narrow therapeutic index drugs or determine by rule that no drug should be added to the list of narrow therapeutic index drugs, Section 562.0141 takes effect July 1, 2008.

(g) If the joint committee receives a request under Subsection (a) and litigation or a request for an attorney general's opinion regarding this section, Section 562.014, or Section 562.0141 is filed by a drug manufacturer between the effective date of this section and July 1, 2008, the time limits established by Subsections (e) and (f) are tolled until the litigation is resolved or the attorney general renders an opinion.

(h) For purposes of this section, notice of the following must be published in the Texas Register not later than the third business day after the date of occurrence:

(1) a request by a drug manufacturer for inclusion of a drug on the list of narrow therapeutic index drugs;

(2) withdrawal of a request described by Subdivision (1);

(3) litigation described by Subsection (g);

(4) resolution of litigation described by Subsection (g); and

(5) a request for an attorney general's opinion described by Subsection

(g).

SECTION 3. Section 562.009, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) If the prescription is for an immunosuppressant drug, as defined by Section 562.0141(a)(1), the pharmacist must comply with the provisions of Section 562.0141. This subsection expires if Section 562.0141 expires under the requirements of Section 562.0142.

SECTION 4. The Texas State Board of Pharmacy and Texas Medical Board shall establish the joint committee required by Section 562.014(b), Occupations Code, as added by this Act, not later than the 90th day after the effective date of this Act or September 1, 2007, whichever date occurs first.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

Amendment No. 2 was adopted.

AMENDMENT NO. 1 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE GATTIS: Craig, we've worked on this thing for about a week-and-a-half, haven't we?

REPRESENTATIVE EILAND: Yes, we have.

GATTIS: And you and I were on opposite sides of this scenario, as well as, I think, Representative Davis was kind of on my side and Chuck Hopson was on your side, but we've all come together and negotiated a compromise on this. Don't you believe?

EILAND: I do, and I—

GATTIS: Do you think the compromise that we've negotiated is good public policy, from the standpoint of just trying to get this process started?

EILAND: Yes. Go ahead.

GATTIS: And you know I talked to Representative Davis this morning. I knew that by putting the drugs in that were in my bill potentially would place a point of order on this, and so I told him that I didn't want to put his bill in jeopardy, and I pulled those out. But, with that said, under the new process that we've created, by creating this joint committee that makes recommendations to the Board of Pharmacy for drugs to be included, those drugs that we originally had in for the epileptic type drugs can be submitted to this committee to be considered, can they not?

EILAND: Yes.

GATTIS: They're not under the same time constraints or the mandatory inclusion if they're not dealt with, but they should be considered if they are properly brought in front of that committee to be considered. Is that right?

EILAND: That's right; that's what we want. I want to get rid of any complaints that the Pharmacy Board is dragging their feet, that the Pharmacy Board is not giving these drugs hearings, that they're not making the process work, so we are forcing the process on immunosuppressants, and we are expecting it to work for any other drug that comes forward to be placed on the narrow therapeutic index.

GATTIS: And in speaking with the Pharmacy Board, I mean they've kind of said "yeah, we think we've probably drug our feet a little, but just give us a chance to prove ourselves in this thing and don't overreact on a legislative standpoint," and I think that's probably good policy. We don't like to have these fights on the floor, sometimes we do when we're kind of forced to, but I think at the end of the day what we have negotiated is a very, very fair compromise amongst the parties. Do you agree?

EILAND: I do, and I think that if the process doesn't work now, we're going to have either people who didn't submit their drugs to be decided upon because they're not confident that they're going to make it through the scientific—

GATTIS: And therefore, they shouldn't go through.

EILAND: And therefore, they shouldn't come to us and ask us to put them on there. And second, if there is the review process and the scientific evidence presented, the Pharmacy Board will make a decision one way or another. And if somebody cries foul, at least we will have a record to refer to and see what people recommended.

GATTIS: And so come next session, if the Pharmacy Board is still dragging their feet, still not accomplishing those types of things and we start looking at the record and see, looks like there are major problems there, I think that I've got your commitment, as well as Chuck's and everybody else's, to say enough's enough and we'll have to revamp it at that point in time. My hope is and my belief is that will not happen, but that's where we'd be. Is that correct?

EILAND: I think that people will get the message and make the process work and put these drugs on or off the therapeutic index based upon the science behind it, not the legislative power.

GATTIS: And I think that's where we all want to be.

REMARKS ORDERED PRINTED

Representative Gattis moved to print remarks between Representative Eiland and Representative Gattis.

The motion prevailed.

Amendment No. 1, as amended, was adopted.

A record vote was requested.

SB 625, as amended, was passed by (Record 1201): 124 Yeas, 16 Nays, 2 Present, not voting.

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

Nays — Brown, B.; Brown, F.; Elkins; England; Flynn; Hamilton; Hancock; Hardcastle; Harper-Brown; Hartnett; Jones; Kuempel; Macias; Merritt; Talton; Van Arsdale.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Farias; Mowery; Ortiz; Pickett.

STATEMENT OF VOTE

I was shown voting no on Record No. 1201. I intended to vote yes.

Van Arsdale

**GENERAL STATE CALENDAR
(consideration continued)****HB 3441 ON THIRD READING
(by Phillips)**

HB 3441, A bill to be entitled An Act relating to the erection and maintenance of tourist-oriented directional signs on eligible highways.

A record vote was requested.

HB 3441 was passed by (Record 1202): 138 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Berman; Davis, J.; Eiland; Mowery; Noriega; Oliveira.

STATEMENT OF VOTE

When Record No. 1202 was taken, I was in the house but away from my desk. I would have voted yes.

Eiland

HB 89 ON THIRD READING
(by Branch and England)

HB 89, A bill to be entitled An Act relating to an exemption for certain political committees from the imposition of civil penalties for violating requirements for reporting political contributions and expenditures.

A record vote was requested.

HB 89 was passed by (Record 1203): 133 Yeas, 3 Nays, 2 Present, not voting.

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

Nays — Escobar; Herrero; Leibowitz.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Bolton; Davis, J.; Flores; Giddings; Heflin; Mowery; Noriega; Pickett.

STATEMENT OF VOTE

When Record No. 1203 was taken, I was in the house but away from my desk. I would have voted yes.

Bolton

HB 646 ON THIRD READING
(by McCall)

HB 646, A bill to be entitled An Act relating to an exemption from the sales tax for nonvehicular fuel cells.

A record vote was requested.

HB 646 was passed by (Record 1204): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Alonzo; Eiland; Mowery.

STATEMENT OF VOTE

When Record No. 1204 was taken, I was in the house but away from my desk. I would have voted yes.

Eiland

HB 3200 ON THIRD READING (by Madden)

HB 3200, A bill to be entitled An Act relating to the computation of certain funding for community supervision and corrections departments.

A record vote was requested.

HB 3200 was passed by (Record 1205): 140 Yeas, 0 Nays, 2 Present, not voting.

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

Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst; Turner.

Absent — Aycock; Darby; McReynolds; Mowery.

STATEMENT OF VOTE

When Record No. 1205 was taken, my vote failed to register. I would have voted yes.

Aycock

(Gattis now present)

HB 3222 ON THIRD READING (by Elkins, Escobar, Crabb, Anderson, and Leibowitz)

HB 3222, A bill to be entitled An Act relating to a business's duty to protect and safeguard sensitive personal information contained in its customer records.

A record vote was requested.

HB 3222 was passed by (Record 1206): 139 Yeas, 0 Nays, 2 Present, not voting.

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

Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Coleman; Gattis; Hill; Jackson; Mowery; Zerwas.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 38).

RESOLUTIONS ADOPTED

Representative Naishtat moved to suspend all necessary rules in order to take up and consider at this time **HR 1904, HR 1906, HR 1940, HR 1951, HR 1953, HR 1967, HR 1996, and HR 2002.**

The motion prevailed.

The following resolutions were laid before the house:

HR 1904 (by Dutton), Congratulating Tom Tucker on his selection as the 2007 Veteran Small Business Champion of the Year by the Houston District Office of the U.S. Small Business Administration.

HR 1906 (by Dutton), Congratulating Alfredo Giraldo of Peru on his selection as the 2007 Small Business Journalist of the Year by the Houston District Office of the U.S. Small Business Administration.

HR 1940 (by Naishtat), Congratulating Katherine Williams-Carter on her 25th anniversary as principal of Brentwood Elementary School in Austin.

HR 1951 (by Raymond), Congratulating the city of Laredo on hosting the 2007 Miss Texas USA Pageant in June.

HR 1953 (by Y. Davis), Congratulating the Reverend C. J. R. Phillips, Jr., on 30 years of service with St. Phillips Missionary Baptist Church in Dallas.

HR 1967 (by Callegari), Honoring Bertye Jordan of Katy on her 80th birthday.

HR 1996 (by Puente), Honoring Laura Steele Elementary School in San Antonio on being named the 2007 Casey Award winner for the Elementary School Site of the Year.

HR 2002 (by Hopson), Honoring Dennis and Emily Speight on the birth of their son, Evan Walker Speight.

The resolutions were adopted.

RESOLUTIONS ADOPTED

Representative Naishtat moved to suspend all necessary rules in order to take up and consider at this time **HCR 244 - HCR 246, HR 1807, and HR 1969.**

The motion prevailed.

The following resolutions were laid before the house:

HCR 244 (by Homer), In memory of Brent Douglas Wilson of Paris.

HCR 245 (by Homer), In memory of Calvin Dudley of Paris.

HCR 246 (by Homer), In memory of Janie D. "Mimi" Buster of the Caviness community.

HR 1807 (by Woolley and Bohac), In memory of Michael T. Howard of Houston.

HR 1969 (by Callegari), In memory of Howard Ernest Beckendorff of Katy.

The resolutions were unanimously adopted by a rising vote.

HB 2566 ON THIRD READING (by Madden)

HB 2566, A bill to be entitled An Act relating to a document or instrument filed by an inmate with a court concerning real or personal property.

Representative Madden moved to postpone consideration of **HB 2566** until 3:30 p.m. today.

The motion prevailed.

HB 1801 ON THIRD READING (by Zerwas)

HB 1801, A bill to be entitled An Act relating to the date by which a prosecuting attorney may appeal certain orders, rulings, or sentences in a criminal case.

A record vote was requested.

HB 1801 was passed by (Record 1207): 142 Yeas, 1 Nays, 2 Present, not voting.

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

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

Nays — Dutton.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Gattis; Mowery.

POSTPONED BUSINESS

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

(Speaker in the chair)

CSHB 1927 ON SECOND READING (by Chisum)

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

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

Representative Hughes moved to postpone consideration of **CSHB 1927** until 6 p.m. today.

The motion prevailed.

GENERAL STATE CALENDAR (consideration continued)

HB 1035 ON THIRD READING (by Riddle)

HB 1035, A bill to be entitled An Act relating to the admissibility of certain hearsay statements made by a child abuse victim.

Amendment No. 1

Representative Hughes offered the following amendment to **HB 1035**:

Amend **HB 1035** on third reading as follows:

(1) On page 1, line 10, between "14 years of age" and the colon, insert "or a disabled individual".

(2) On page 2, strike lines 3 and 4 and substitute the following:
against, as applicable:

(a) the child who is the victim of the offense or another child younger than 14 years of age; or

(b) a disabled individual; and

(3) On page 2, line 8, between "child" and "against", insert "or disabled individual".

(4) On page 2, line 12, between "child" and "made", insert "or disabled individual".

(5) Strike SECTION 3 of the bill.

(6) Insert the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill appropriately:

SECTION _____. The heading to Article 38.072, Code of Criminal Procedure, is amended to read as follows:

Art. 38.072. HEARSAY STATEMENTS OF CERTAIN VICTIMS
~~[STATEMENT OF CHILD ABUSE VICTIM].~~

SECTION _____. Article 38.072, Code of Criminal Procedure, is amended by adding Section 3 to read as follows:

Sec. 3. In this article, "disabled individual" has the meaning assigned by Section 22.04, Penal Code.

SECTION _____. Section 54.031, Family Code, is amended to read as follows:

Sec. 54.031. HEARSAY STATEMENT OF CERTAIN [CHILD] ABUSE VICTIMS [VICTIM]. (a) This section applies to a hearing under this title in which a child is alleged to be a delinquent child on the basis of a violation of any of the following provisions of the Penal Code, if a child or disabled individual [~~12 years of age or younger~~] is the alleged victim of the violation:

- (1) Chapter 21 (Sexual Offenses) or 22 (Assaultive Offenses);
- (2) Section 25.02 (Prohibited Sexual Conduct); or
- (3) Section 43.25 (Sexual Performance by a Child).

(b) This section applies only to statements that describe the alleged violation that:

(1) were made by the child or disabled individual who is the alleged victim of the violation; and

(2) were made to the first person, 18 years of age or older, to whom the child or disabled individual made a statement about the violation.

(c) A statement that meets the requirements of Subsection (b) of this section is not inadmissible because of the hearsay rule if:

(1) on or before the 14th day before the date the hearing begins, the party intending to offer the statement:

(A) notifies each other party of its intention to do so;

(B) provides each other party with the name of the witness through whom it intends to offer the statement; and

(C) provides each other party with a written summary of the statement;

(2) the juvenile court finds, in a hearing conducted outside the presence of the jury, that the statement is reliable based on the time, content, and circumstances of the statement; and

(3) the child or disabled individual who is the alleged victim testifies or is available to testify at the hearing in court or in any other manner provided by law.

(d) Notwithstanding Section 51.02, in this section, "child" and "disabled individual" have the meanings assigned by Section 22.04, Penal Code.

SECTION _____. The change in law made by this Act applies only to a proceeding that commences on or after the effective date of this Act. A proceeding that commences before the effective date of this Act is governed by the law in effect when the proceeding commenced, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

A record vote was requested.

HB 1035, as amended, was passed by (Record 1208): 140 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Dutton; Gattis; King, P.; Morrison; Mowery; Rose.

STATEMENT OF VOTE

When Record No. 1208 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

HB 3735 ON THIRD READING
(by McReynolds, et al.)

HB 3735, A bill to be entitled An Act relating to a diabetes demonstration pilot program.

A record vote was requested.

HB 3735 was passed by (Record 1209): 144 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Burnam; Mowery.

HB 2237 ON THIRD READING
(by Eissler, Giddings, Woolley, Hochberg, Guillen, et al.)

HB 2237, A bill to be entitled An Act relating to high school success and college and workforce readiness programs in public schools.

Amendment No. 1

Representative Villarreal offered the following amendment to **HB 2237**:

Amend **HB 2237** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 39.051(b), Education Code, is amended to read as follows:

(b) Performance on the indicators adopted under this section shall be compared to state-established standards. The degree of change from one school year to the next in performance on each indicator adopted under this section shall also be considered. The indicators must be based on information that is disaggregated by race, ethnicity, gender, and socioeconomic status and must include:

(1) the results of assessment instruments required under Sections 39.023(a), (c), and (l), aggregated by grade level and subject area;

(2) dropout rates, including dropout rates and district completion rates for grade levels 9 through 12, computed in accordance with standards and definitions adopted by the National Center for Education Statistics of the United States Department of Education;

(3) high school graduation rates, computed in accordance with standards and definitions adopted in compliance with the No Child Left Behind Act of 2001 (Pub. L. No. 107-110);

(4) student attendance rates;

(5) the percentage of graduating students who attain scores on the secondary exit-level assessment instruments required under Subchapter B that are equivalent to a passing score on the assessment instrument required under Section 51.3062;

(6) the percentage of graduating students who meet the course requirements established for the recommended high school program by State Board of Education rule;

(7) the results of the Scholastic Assessment Test (SAT), the American College Test (ACT), articulated postsecondary degree programs described by Section 61.852, and certified workforce training programs described by Chapter 311, Labor Code;

(8) the percentage of students, aggregated by grade level, provided accelerated instruction under Section 28.0211(c), the results of assessments administered under that section, the percentage of students promoted through the grade placement committee process under Section 28.0211, the subject of the assessment instrument on which each student failed to perform satisfactorily, and the performance of those students in the school year following that promotion on the assessment instruments required under Section 39.023;

(9) for students who have failed to perform satisfactorily on an assessment instrument required under Section 39.023(a) or (c), the numerical progress of those students grouped by percentage on subsequent assessment instruments required under those sections, aggregated by grade level and subject area;

(10) the percentage of students exempted, by exemption category, from the assessment program generally applicable under this chapter;

(11) the percentage of students of limited English proficiency exempted from the administration of an assessment instrument under Sections 39.027(a)(3) and (4);

(12) the percentage of students in a special education program under Subchapter A, Chapter 29, assessed through assessment instruments developed or adopted under Section 39.023(b);

(13) the measure of progress toward preparation for postsecondary success; ~~and~~

(14) the measure of progress toward dual language proficiency under Section 39.034(b), for students of limited English proficiency, as defined by Section 29.052; and

(15) the measure of a reduction or increase in any disparity between students who are educationally disadvantaged and all other students in:

(A) performance on assessment instruments administered under Subchapter B; and

(B) high school graduation rates computed under Subdivision (3).

Amendment No. 1 was adopted.

A record vote was requested.

HB 2237, as amended, was passed by (Record 1210): 141 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Burnam; Jackson; Mowery; Pierson; Smithee.

(Taylor in the chair)

HB 2414 ON THIRD READING**(by Isett)**

HB 2414, A bill to be entitled An Act relating to hunting from public roads or rights-of-way.

A record vote was requested.

HB 2414 was passed by (Record 1211): 136 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Dunnam; Goolsby; Hughes; King, T.; Madden; Morrison; Mowery; Patrick; Pierson.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 1211. I intended to vote no.

C. Howard

When Record No. 1211 was taken, I was in the house but away from my desk. I would have voted no.

Hughes

HB 431 ON THIRD READING**(by Madden and McClendon)**

HB 431, A bill to be entitled An Act relating to the release of a defendant convicted of a state jail felony on medically recommended intensive supervision.

A record vote was requested.

HB 431 was passed by (Record 1212): 138 Yeas, 6 Nays, 2 Present, not voting.

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

Nays — Bohac; Crabb; Harper-Brown; Laubenberg; Paxton; Phillips.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Mowery.

HB 3147 ON THIRD READING (by Solomons)

HB 3147, A bill to be entitled An Act relating to claims against a contractor for construction of common elements under a condominium or cooperative system.

A record vote was requested.

HB 3147 was passed by (Record 1213): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Tourelles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz;

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Coleman; Darby; Hill; Hughes; Mowery; Patrick.

HB 3300 ON THIRD READING
(by Phillips)

HB 3300, A bill to be entitled An Act relating to classifying llamas and alpacas as livestock under the Agriculture Code.

A record vote was requested.

HB 3300 was passed by (Record 1214): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Driver; Mowery.

HB 283 ON THIRD READING
(by B. Brown)

HB 283, A bill to be entitled An Act relating to investigations and decisions regarding allegations of abuse, neglect, or exploitation of persons with disabilities by employees at certain facilities.

A record vote was requested.

HB 283 was passed by (Record 1215): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Bohac; Dutton; Hopson; Mowery.

HB 448 ON THIRD READING
(by Phillips)

HB 448, A bill to be entitled An Act relating to the calculation of child support obligations.

A record vote was requested.

HB 448 was passed by (Record 1216): 142 Yeas, 0 Nays, 2 Present, not voting.

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

Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; Woolley; Zedler; Zerwas.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Mowery; Pitts; West.

HB 1680 ON THIRD READING **(by Swinford)**

HB 1680, A bill to be entitled An Act relating to the required payment of taxes by property owners who appeal certain ad valorem tax determinations.

A record vote was requested.

HB 1680 was passed by (Record 1217): 144 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Mowery.

HB 2091 ON THIRD READING
(by Hill)

HB 2091, A bill to be entitled An Act relating to municipal consent to the addition to a political subdivision of land located in the extraterritorial jurisdiction of the municipality.

A record vote was requested.

HB 2091 was passed by (Record 1218): 144 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Mowery.

HB 2709 ON THIRD READING
(by Isett and Hopson)

HB 2709, A bill to be entitled An Act relating to the deposit of certain public funds with federally insured financial institutions.

A record vote was requested.

HB 2709 was passed by (Record 1219): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Dutton; Pierson.

STATEMENT OF VOTE

When Record No. 1219 was taken, I was in the house but away from my desk. I would have voted yes.

Dutton

HB 2385 ON THIRD READING (by Lucio)

HB 2385, A bill to be entitled An Act relating to the collection of fees by a district attorney or criminal district attorney for certain expenses related to pretrial intervention programs.

A record vote was requested.

HB 2385 was passed by (Record 1220): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero;

Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Thompson; Truitt; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Dutton; Mowery; Riddle; Rodriguez.

STATEMENT OF VOTE

When Record No. 1220 was taken, I was in the house but away from my desk. I would have voted yes.

Dutton

HB 278 ON THIRD READING

(by Madden, Hochberg, Van Arsdale, and Strama)

HB 278, A bill to be entitled An Act relating to the authority of a school district board of trustees to create a criminal offense for violation of a district policy.

A record vote was requested.

HB 278 was passed by (Record 1221): 141 Yeas, 0 Nays, 3 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Bohac; Madden; Mowery.

STATEMENT OF VOTE

I was shown voting yes on Record No. 1221. I intended to vote no.

Flynn

HB 3378 ON THIRD READING

(by Truitt)

HB 3378, A bill to be entitled An Act relating to the requirements governing municipal consent to the creation or expansion of certain water districts.

A record vote was requested.

HB 3378 was passed by (Record 1222): 138 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Burnam; Coleman; Dunnam; Dutton; Garcia; Madden; Mowery.

STATEMENT OF VOTE

When Record No. 1222 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

HB 1658 ON THIRD READING
(by Hochberg)

HB 1658, A bill to be entitled An Act relating to information contained in a criminal street gang intelligence database.

A record vote was requested.

HB 1658 was passed by (Record 1223): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Dutton; Mowery.

HB 3578 ON THIRD READING
(by Rose, et al.)

HB 3578, A bill to be entitled An Act relating to the confidentiality of certain communications involving an ombudsman program established by an employer as an alternative dispute resolution service.

A record vote was requested.

HB 3578 was passed by (Record 1224): 140 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Darby; Dutton; Harless; Mowery; Rodriguez.

HB 1646 ON THIRD READING **(by Dutton)**

HB 1646, A bill to be entitled An Act relating to the marital property interest in certain employee benefits and the statute of limitations applicable to certain actions asserting claims under marital property agreements.

A record vote was requested.

HB 1646 was passed by (Record 1225): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Anderson; Hamilton; Hochberg; Mowery.

HB 3195 ON THIRD READING

(by Hill)

HB 3195, A bill to be entitled An Act relating to the requirements of a municipal or county budget that raises more property taxes than in the previous year's budget.

A record vote was requested.

HB 3195 was passed by (Record 1226): 142 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Garcia; Mowery; Patrick.

STATEMENT OF VOTE

When Record No. 1226 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

HB 1993 ON THIRD READING**(by Gattis)**

HB 1993, A bill to be entitled An Act relating to mandatory dismissal of certain suits affecting the parent-child relationship and involving the Department of Family and Protective Services.

A record vote was requested.

HB 1993 was passed by (Record 1227): 142 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Dutton; Hochberg; Mowery.

HB 555 ON THIRD READING**(by Phillips, Gonzalez Toureilles, and Escobar)**

HB 555, A bill to be entitled An Act relating to the use of parenting plans and parenting coordinators in suits affecting the parent-child relationship.

A record vote was requested.

HB 555 was passed by (Record 1228): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Mowery; Paxton.

HB 1084 ON THIRD READING (by T. Smith)

HB 1084, A bill to be entitled An Act relating to the application of the sales and use tax to the sale of certain food products sold at school events.

A record vote was requested.

HB 1084 was passed by (Record 1229): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst; Turner.

Absent — Burnam; Mowery.

HB 3583 ON THIRD READING
(by Hill)

HB 3583, A bill to be entitled An Act relating to the composition and appointment of the board of directors of an appraisal district and to training for board members.

Amendment No. 1

Representative Hill offered the following amendment to **HB 3583**:

Amend **HB 3583** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 6.41, Tax Code, is amended by adding Subsections (d-1) and (d-2) and amending Subsection (f) to read as follows:

(d-1) The chairman of the board and the secretary of the board may be appointed by resolution of a majority of the appraisal district board of directors. At least one member of the board of directors who was appointed by the district judges with jurisdiction in the county for which the appraisal district is established must vote in favor of the resolution, and the resolution must be adopted before the appraisal review board's first meeting in January. If the appraisal district board of directors does not appoint a chairman and a secretary in the manner provided by this subsection, the board shall elect a chairman and a secretary from among its members. The chairman and secretary of the board hold office for terms of one year beginning January 1. A vacancy in either position is filled for the unexpired portion of the term in the same manner as the person serving in that position when the vacancy occurred was appointed or elected.

(d-2) The district board of directors may establish written policies regarding the conduct of appraisal review board members by resolution of a majority of its members. At least one member of the board of directors who was appointed by the district judges with jurisdiction in the county for which the appraisal district is established must vote in favor of the resolution.

(f) A member of the board may be removed from the board by a majority vote of the appraisal district board of directors. At least one member of the board of directors who was appointed by the district judges with jurisdiction in the county for which the appraisal district is established must vote in favor of removal of the member of the board. Grounds for removal are:

- (1) a violation of Section 6.412, 6.413, 41.66(f), or 41.69; ~~or~~
- (2) good cause relating to the attendance of members at called meetings of the board as established by written policy adopted by a majority of the appraisal district board of directors; or
- (3) a violation of a policy adopted in accordance with Subsection (d-2).

SECTION _____. Section 6.42(a), Tax Code, is amended to read as follows:

(a) A majority of the appraisal review board constitutes a quorum. [~~The board shall elect a chairman and a secretary from its members.~~]

Amendment No. 1 was adopted.

(Turner now present)

A record vote was requested.

HB 3583, as amended, was passed by (Record 1230): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Howard, C.; Macias; Mowery.

HB 1458 ON THIRD READING
(by Macias)

HB 1458, A bill to be entitled An Act relating to the allocation of revenue from the state hotel tax for certain purposes in certain municipalities.

A record vote was requested.

HB 1458 was passed by (Record 1231): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Mowery; Pierson; Puente.

HB 1123 ON THIRD READING
(by B. Brown)

HB 1123, A bill to be entitled An Act relating to certain penalties imposed for the destruction of a mailbox or other address identifier.

A record vote was requested.

HB 1123 was passed by (Record 1232): 144 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Burnam; Mowery.

HB 3382 ON THIRD READING
(by Naishtat)

HB 3382, A bill to be entitled An Act relating to providing certain computerized instructional material for blind and visually impaired students at public institutions of higher education.

A record vote was requested.

HB 3382 was passed by (Record 1233): 143 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Bailey; Gattis; Mowery.

HB 2563 ON THIRD READING
(by Hancock)

HB 2563, A bill to be entitled An Act relating to the powers and duties of the boards of trustees and superintendents of independent school districts and of regional education service centers.

A record vote was requested.

HB 2563 was passed by (Record 1234): 137 Yeas, 4 Nays, 2 Present, not voting.

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

Nays — Allen; Herrero; Leibowitz; Vaught.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Bolton; Harless; Homer; Madden; Mowery.

HB 2201 ON THIRD READING
(by Kolkhorst)

HB 2201, A bill to be entitled An Act relating to the creation of a judicial district composed of Grimes and Waller Counties, the composition of the 9th, 12th, and 278th Judicial Districts, the district attorneys for the 12th and 278th Judicial Districts, and the juvenile board of Leon County.

A record vote was requested.

HB 2201 was passed by (Record 1235): 142 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — King, T.; Madden; Mowery; Olivo.

STATEMENT OF VOTE

When Record No. 1235 was taken, I was in the house but away from my desk. I would have voted yes.

Olivo

POSTPONED BUSINESS

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

HB 2566 ON THIRD READING

(by Madden)

HB 2566, A bill to be entitled An Act relating to a document or instrument filed by an inmate with a court concerning real or personal property.

HB 2566 was read third time earlier today and was postponed until this time.

A record vote was requested.

HB 2566 was passed by (Record 1236): 144 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Bolton; Mowery.

**GENERAL STATE CALENDAR
(consideration continued)**

**HB 1915 ON THIRD READING
(by Swinford and Christian)**

HB 1915, A bill to be entitled An Act relating to the creation of a fire department listing by the Texas Forest Service.

A record vote was requested.

HB 1915 was passed by (Record 1237): 141 Yeas, 0 Nays, 2 Present, not voting.

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

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Farias; Hilderbran; Madden; Mowery; Smithee.

**MAJOR STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**HB 2868 ON SECOND READING
(by Swinford, R. Cook, Chisum, McReynolds, and Keffer)**

HB 2868, A bill to be entitled An Act relating to assessment of certain insurers to fund the volunteer fire department assistance fund.

Representative J. Davis moved to extend speaking time on **HB 2868**.

A record vote was requested.

The motion to extend time prevailed by (Record 1238): 93 Yeas, 23 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Aycock; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Cohen; Crabb; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Eissler; Elkins; England; Escobar; Farabee; Farrar; Frost; Gallego; Garcia; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Haggerty; Hancock; Hartnett; Heflin; Hernandez; Herrero; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Jackson; King, S.; King, T.; Kuempel; Latham; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Murphy; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Otto; Patrick; Peña; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Smith, W.; Solomons; Strama; Swinford; Talton; Thompson; Truitt; Turner; Van Arsdale; Vaught; Villarreal; Vo.

Nays — Anderson; Berman; Brown, F.; Chisum; Christian; Corte; Creighton; Crownover; Delisi; Driver; Flynn; Goolsby; Harless; Howard, C.; Isett; Keffer; Krusee; Macias; Orr; Phillips; Woolley; Zedler; Zerwas.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Kolkhorst.

Absent — Bailey; Bohac; Coleman; Cook, B.; Cook, R.; Dutton; Eiland; Farias; Flores; Geren; Hamilton; Hardcastle; Harper-Brown; Hilderbran; Hughes; Jones; King, P.; Laubenberg; Morrison; Mowery; O'Day; Parker; Paxton; Puente; Rose; Smith, T.; Smithee; Straus; Veasey; West.

HB 2868 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

LEAVE OF ABSENCE GRANTED

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

Hancock on motion of F. Brown.

MESSAGE FROM THE SENATE

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

**CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING**

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

**HJR 81 ON SECOND READING
(by Parker, et al.)**

HJR 81, A joint resolution proposing a constitutional amendment to require a two-thirds vote of the legislature to enact and submit to the voters a law imposing an income tax or increasing that tax.

HJR 81 - REMARKS

REPRESENTATIVE PARKER: Thank you, Mr. Speaker and members. **HJR 81** will provide tax payer protection by requiring a two-thirds approval of both houses of the legislature before a state income tax referendum could be brought before the voters. Requiring a two-thirds approval to create an income tax would encourage the legislature to address revenue requirements by holding down spending, rather than raising taxes. We as Texans are already sufficiently taxed. Members, **HJR 81** is necessary to provide real assurance to the citizens of Texas, the Texas business community, the nation's business community, and indeed, the international business community, that Texas will continue to be the most pro-business, pro-growth, pro-family state in the nation.

Representative Parker moved to postpone consideration of **HJR 81** until 5 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR
HOUSE BILLS
SECOND READING**

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

**CSHB 3838 ON SECOND READING
(by Gonzalez Toureilles, Hardcastle, and Chisum)**

CSHB 3838, A bill to be entitled An Act relating to regulation of injection wells used for in situ uranium recovery by the Texas Commission on Environmental Quality.

Amendment No. 1

Representative Gonzalez Toureilles offered the following amendment to **CSHB 3838**:

Amend **CSHB 3838** (House Committee Printing) as follows:

(1) On page 4, line 2, between "PROPERTY." and "Members", insert "(a)".

(2) On page 4, line 9, between "commission." and "Members", insert the following:

(b) The railroad commission by rule shall provide that before a member or employee of the railroad commission enters public or private property under the authority of Subsection (a) that is located in a groundwater conservation district, a representative from the district must be invited to accompany the member or employee.

(c)

(3) On page 4, line 9, strike "or employees" and substitute ", ~~or~~ employees ,or representatives".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Gonzalez Toureilles offered the following amendment to **CSHB 3838**:

Amend **CSHB 3838** (House Committee Printing) as follows:

(1) On page 4, line 26, strike "may" and substitute "shall ~~may~~".

(2) Add the following appropriately numbered SECTION and renumber subsequent SECTIONS accordingly:

SECTION _____. Sections 27.051(a) and (b), Water Code, are amended to read as follows:

(a) The commission may grant an application in whole or part and may issue the permit if it finds:

(1) that the use or installation of the injection well is in the public interest;

(2) that no existing rights, including, but not limited to, mineral rights, will be impaired;

(3) that, with proper safeguards, both ground and surface fresh water can be adequately protected from pollution;

(4) that the applicant has made a satisfactory showing of financial responsibility as ~~is~~ required by Section 27.073 ~~[of this code]~~;

(5) that the applicant has provided for the proper operation of the proposed hazardous waste injection well;

(6) that the applicant for a hazardous waste injection well not located in an area of industrial land use has made a reasonable effort to ensure that the burden, if any, imposed by the proposed hazardous waste injection well on local law enforcement, emergency medical or fire-fighting personnel, or public roadways, will be reasonably minimized or mitigated; and

(7) that the applicant owns or has made a good faith claim to, or has the consent of the owner to utilize, or has an option to acquire, or has the authority to acquire through eminent domain, the property or portions of the property where the hazardous waste injection well will be constructed.

(b) The railroad commission may grant an application in whole or part and may issue the permit if it finds:

(1) that the use or installation of the injection well is in the public interest;

(2) that the use or installation of the injection well will not endanger or injure any oil, gas, or other mineral formation;

(3) that, with proper safeguards, both ground and surface fresh water can be adequately protected from pollution; and

(4) that the applicant has made a satisfactory showing of financial responsibility as [if] required by Section 27.073 [of this code].

Amendment No. 2 was adopted.

CSHB 3838, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 289 ON SECOND READING

(by Delisi, Coleman, McReynolds, Truitt, B. Brown, et al.)

CSHB 289, A bill to be entitled An Act relating to the expansion of faith- and community-based health and human services and social services initiatives.

Amendment No. 1

Representative Delisi offered the following amendment to **CSHB 289**:

Amend **CSHB 289** as follows:

(1) On page 13, line 22, between "Human Services" and "not later", insert "the House Committee on Public Health, and the Senate Health and Human Services Committee".

(2) On page 16, line 14, strike "funds" and substitute "resources".

Amendment No. 1 was adopted.

CSHB 289, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3837 ON SECOND READING

(by Gonzalez Toureilles, Hardcastle, and Chisum)

CSHB 3837, A bill to be entitled An Act relating to regulation by the Railroad Commission of Texas of uranium exploration.

Amendment No. 1

Representative Gonzalez Toureilles offered the following amendment to **CSHB 3837**:

Amend **CSHB 3837** (House Committee Printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 131.261(a), Natural Resources Code, is amended to read as follows:

(a) On the basis of any inspection, if the commission or its authorized representative or agent determines that a condition or practice exists or that a permittee is in violation of a requirement of this chapter or a permit condition required by this chapter, and that this condition, practice, or violation also creates an imminent danger to the health or safety of the public or is causing or can reasonably be expected to cause significant imminent harm to land, air, or water resources, a member of the commission shall immediately order a cessation of exploration or surface mining operations on the portion of the area relevant to the condition, practice, or violation.

SECTION _____. Sections 131.262(a) and (b), Natural Resources Code, are amended to read as follows:

(a) On the basis of an inspection, if the commission or its authorized representative or agent determines that a permittee is in violation of a requirement of this chapter or a permit condition required by this chapter, but the violation does not create an imminent danger to the health or safety of the public or is not causing or reasonably expected to cause significant imminent harm to land, air, or water resources, the commission shall issue a notice to the permittee or the permittee's [his] agent setting a reasonable time not to exceed 30 days for the abatement of the violation. The commission may authorize an extension of the period of time for the abatement of the violation, for good cause as determined by a written finding by the commission. If the violation pertains to exploration activities, the commission may not authorize an extension of the period of time for the abatement of the violation to a date later than the 60th day after the date the commission issued the notice to the permittee.

(b) ~~If, on expiration of the period of time as originally set or subsequently extended, [for good cause shown, and on written finding of the commission,]~~ the commission finds that the violation has not been abated, it may order a cessation of exploration or surface mining operations on the portion of this area relevant to the violation. However, if requested by the operator, a hearing must be held prior to a commission finding or order.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Gonzalez Toureilles offered the following amendment to **CSHB 3837**:

Amend **CSHB 3837** (House Committee Printing) as follows:

(1) On page 11, at the end of line 27, add ":

(A)".

(2) On page 12, at the end of line 2, add "and".

(3) On page 12, between lines 2 and 3, insert the following:

(B) each existing well located inside the area subject to the exploration permit, or, if at least 10 existing wells are located inside that area, 10 wells that are equally distributed inside that area;

Amendment No. 2 was adopted.

Amendment No. 3

Representative Gonzalez Toureilles offered the following amendment to **CSHB 3837**:

Amend **CSHB 3837** (House Committee Printing) as follows:

(1) On page 12, line 20, strike "and".

(2) On page 12, line 22, between "description" and "of", insert "and the acreage".

(3) On page 12, line 23, between "located" and the underlined period, insert the following:

;

(3) the person's name, address, and telephone number;

(4) verification that each well will be used for an industrial purpose;

(5) the type and capacity of the pump used in each well; and

(6) a copy of the well log for each well required by Section 1901.251,

Occupations Code

Amendment No. 3 was adopted.

Amendment No. 4

Representative Gonzalez Toureilles offered the following amendment to **CSHB 3837**:

Amend **CSHB 3837** (House Committee Printing) as follows:

(1) On page 9, line 25, strike "section" and substitute "subchapter".

(2) On page 10, line 8, strike "section" and substitute "subchapter".

Amendment No. 4 was adopted.

CSHB 3837, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3828 ON SECOND READING

(by Morrison)

CSHB 3828, A bill to be entitled An Act relating to performance incentive funding for institutions of higher education.

Representative P. King moved to postpone consideration of **CSHB 3828** until 4:30 p.m. today.

The motion prevailed.

SB 1783 ON SECOND READING
(Hartnett - House Sponsor)

SB 1783, A bill to be entitled An Act relating to the waiting period for issuing a decree in certain suits for divorce.

SB 1783 was considered in lieu of **HB 3632**.

Representative Hartnett moved to postpone consideration of **SB 1783** until 1 p.m. Monday, May 14.

The motion prevailed.

HB 3632 - LAID ON THE TABLE SUBJECT TO CALL

Representative Hartnett moved to lay **HB 3632** on the table subject to call.

The motion prevailed.

HB 3654 ON SECOND READING
(by Riddle)

HB 3654, A bill to be entitled An Act relating to the placement of certain releasees of the Texas Department of Criminal Justice in treatment centers, residential facilities, or halfway houses.

Representative Riddle moved to postpone consideration of **HB 3654** until 11:47 p.m. Friday, June 1.

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 **HB 1**:

Gattis on motion of Homer.

HB 402 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS

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

HB 402, A bill to be entitled An Act relating to a criminal violation of the open meetings law committed by a member of an appraisal district board of directors and to a prohibition on certain communications between a member of the board of directors and the chief appraiser of the district; providing penalties.

Representative Hill moved to concur in the senate amendments to **HB 402**.

A record vote was requested.

The motion to concur in senate amendments prevailed by (Record 1239): 134 Yeas, 0 Nays, 2 Present, not voting.

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

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

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

Absent, Excused — Hancock; Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Bailey; Deshotel; Farias; Gallego; Heflin; Hughes; Martinez; Mowery; Peña; Talton.

Senate Committee Substitute

CSHB 402, A bill to be entitled An Act relating to a prohibition on parte communications between a member of the board of directors and the chief appraiser of an appraisal district; providing a penalty.

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

SECTION 1. Subchapter A, Chapter 6, Tax Code, is amended by adding Section 6.15 to read as follows:

Sec. 6.15. EX PARTE COMMUNICATIONS; PENALTY. (a) A member of the board of directors of an appraisal district commits an offense if the member directly or indirectly communicates with the chief appraiser on any matter relating to the appraisal of property by the appraisal district, except in:

(1) an open meeting of the appraisal district board of directors or another public forum; or

(2) a closed meeting of the board of directors held to consult with the board's attorney about pending litigation, at which the chief appraiser's presence is necessary for full communication between the board and the board's attorney.

(b) A chief appraiser commits an offense if the chief appraiser directly or indirectly communicates with a member of the board of directors of the appraisal district on any matter relating to the appraisal of property by the appraisal district, except in:

(1) an open meeting of the board of directors or another public forum;

or

(2) a closed meeting of the board of directors held to consult with the board's attorney about pending litigation, at which the chief appraiser's presence is necessary for full communication between the board and the board's attorney.

(c) Subsections (a) and (b) do not apply to a routine communication between the chief appraiser and the county assessor-collector that relates to the administration of an appraisal roll, including a communication made in connection with the certification, correction, or collection of an account, regardless of whether the county assessor-collector was appointed to the board of directors of the appraisal district or serves as a nonvoting director.

(d) An offense under this section is a Class C misdemeanor.

SECTION 2. This Act takes effect September 1, 2007.

HB 1270 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

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

HB 1270, A bill to be entitled An Act relating to an intensive reading or language intervention pilot program at certain public school campuses.

Representative Eissler moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 1270**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 1270**: Eissler, chair; Branch, Dutton, Hochberg, and Kolkhorst.

HB 34 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 34, A bill to be entitled An Act relating to the prohibition of certain payments or other inducements regarding a workers' compensation claim; providing an administrative violation.

Representative Solomons moved to concur in the senate amendments to **HB 34**.

A record vote was requested.

The motion to concur in senate amendments prevailed by (Record 1240): 141 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg;

Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Hancock; Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Farias; Mowery; Thompson.

Senate Committee Substitute

CSHB 34, A bill to be entitled An Act relating to the prohibition of certain payments or other inducements regarding a worker's compensation claim; providing an administrative violation.

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

SECTION 1. Subchapter A, Chapter 415, Labor Code, is amended by adding Section 415.0036 to read as follows:

Sec. 415.0036. ADMINISTRATIVE VIOLATION BY PERSON PERFORMING CERTAIN CLAIM SERVICES. (a) This section applies to an insurance adjuster, case manager, or other person who has authority under this title to request the performance of a service affecting the delivery of benefits to an injured employee or who actually performs such a service, including peer reviews, performance of required medical examinations, or case management.

(b) A person described by Subsection (a) commits an administrative violation if the person offers to pay, pays, solicits, or receives an improper inducement relating to the delivery of benefits to an injured employee or improperly attempts to influence the delivery of benefits to an injured employee, including through the making of improper threats. This section applies to each person described by Subsection (a) who is a participant in the workers' compensation system of this state and to an agent of such a person.

(c) A violation under this section is a Class A administrative violation.

SECTION 2. (a) The change in law made by this Act applies only to the punishment for a violation occurring on or after the effective date of this Act. For purposes of this section, a violation is committed before the effective date of this Act if any element of the violation occurs before the effective date.

(b) A violation committed before the effective date of this Act is governed by the law in effect on the date the violation was committed, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2007.

GENERAL STATE CALENDAR
(consideration continued)
CSHB 3862 ON SECOND READING
(by McClendon)

CSHB 3862, A bill to be entitled An Act relating to the duties of a water service provider in an area served by sewer service of certain political subdivisions.

CSHB 3862 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 152 ON SECOND READING
(by Phillips, Herrero, Rose, Vaught, and Bonnen)

CSHB 152, A bill to be entitled An Act relating to exempting certain military personnel from the hunter education program.

Amendment No. 1

Representative Herrero offered the following amendment to **CSHB 152**:

Amend **CSHB 152** (House Committee Printing) on page 1 by striking lines 8-9 and substituting the following:

person who:

(1) is a member of the United States military forces serving on active duty; or

(2) was honorably discharged from the United States military forces.

Amendment No. 1 was adopted.

CSHB 152, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

LEAVE OF ABSENCE GRANTED

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

McClendon on motion of Dukes.

HB 670 ON SECOND READING
(by Strama and Villarreal)

HB 670, A bill to be entitled An Act relating to the enforcement of unpaid child support.

Amendment No. 1

Representative Hartnett offered the following amendment to **HB 670**:

Amend **HB 670** (house committee printing) on page 1 of the bill by striking lines 8 through 15 and substituting the following:

child support if a motion for enforcement requesting a money judgment is filed not later than the 20th ~~[10th]~~ anniversary after the date:

(1) the child becomes an adult; or

(2) on which the child support obligation terminates under the child support order or by operation of law.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Coleman offered the following amendment to **HB 670**:

Amend **HB 670** as follows by adding the appropriately numbered SECTION and renumber subsequent SECTIONS to read as follows:

SECTION _____. Section 232.006, Family Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Except as provided by Subsection (b), notice ~~[Notice]~~ under this section may be served as in civil cases generally.

(b-1) If the individual has been ordered under Chapter 105 to provide the court and the state case registry with the individual's current mailing address, notice under this section must be served by mailing a copy of the petition, by certified mail, to the last mailing address of the individual on file with the court and the state case registry.

Amendment No. 2 was adopted.

HB 670, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3954 ON SECOND READING

(by Macias)

CSHB 3954, A bill to be entitled An Act relating to improvement projects in certain counties.

Representative Macias moved to postpone consideration of **CSHB 3954** until 4:30 p.m. today.

The motion prevailed.

CSHB 2532 ON SECOND READING

(by Patrick, T. Smith, et al.)

CSHB 2532, A bill to be entitled An Act relating to the expulsion and placement in alternative settings of public school students who engage in conduct constituting certain felonies.

Amendment No. 1

Representative Patrick offered the following amendment to **CSHB 2532**:

Amend **CSHB 2532** as follows:

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

(2) On page 2, line 5, between the semicolon and "and", insert the following:

(E) has received probation or deferred adjudication for a felony offense under Title 5, Penal Code;

(F) has been convicted of a felony offense under Title 5, Penal Code; or

(G) has been arrested for or charged with a felony offense under Title 5, Penal Code;

Amendment No. 1 was adopted.

Amendment No. 2

Representative Patrick offered the following amendment to **CSHB 2532**:

Amend **CSHB 2532** as follows:

(1) On page 3, between lines 24 and 25, insert the following:

(g) The board of trustees shall reimburse a juvenile justice alternative education program in which a student is placed under this section for the actual cost incurred each day for the student while the student is enrolled in the program. For purposes of this subsection:

(1) the actual cost incurred each day for the student is determined by the juvenile board of the county operating the program; and

(2) the juvenile board shall determine the actual cost each day of the program based on the board's annual audit.

(2) On page 3, line 25, strike "(g)" and substitute "(h)".

Amendment No. 2 was adopted.

CSHB 2532, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3780 ON SECOND READING

(by Bonnen)

CSHB 3780, A bill to be entitled An Act relating to initiation of enforcement by the Texas Commission on Environmental Quality for violations based on information received from a private individual.

CSHB 3780 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **CSHB 3780** under Rule 4, Section 32(c)(1) of the House Rules on the grounds that the bill analysis is incorrect.

The chair overruled the point of order.

(McClendon now present)

(Speaker in the chair)

Amendment No. 1

Representative Burnam offered the following amendment to **CSHB 3780**:

Amend **CSHB 3780** as follows:

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

"(f) If the appropriate administrative agency or court finds that this Subsection (e) conflicts with federal law, the commission shall not implement that subsection."

Amendment No. 1 was withdrawn.

CSHB 3780 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero, D. Howard, and Leibowitz recorded voting no.)

CSHB 539 ON SECOND READING
(by W. Smith, Crabb, and Callegari)

CSHB 539, A bill to be entitled An Act relating to the regulation of fireworks and fireworks displays.

Amendment No. 1

Representative Lucio offered the following amendment to **CSHB 539**:

Amend **CSHB 539** (house committee printing) on page 2, line 9, by striking "16" and substituting "14".

Representative W. Smith moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 1241): 92 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson; Bailey; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Eissler; Elkins; Farabee; Flynn; Frost; Garcia; Geren; Giddings; Goolsby; Haggerty; Hardcastle; Harless; Harper-Brown; Hilderbran; Hill; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; Menendez; Merritt; Miller; Morrison; Murphy; O'Day; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Strama; Swinford; Thompson; Truitt; Turner; Van Arsdale; Vo; West; Woolley; Zerwas.

Nays — Allen; Alonzo; Aycock; Bolton; Chavez; Cohen; Davis, Y.; Dukes; Dunnam; Eiland; England; Escobar; Farias; Farrar; Flores; Gallego; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hartnett; Heflin; Hernandez; Herrero;

Hochberg; Hodge; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Rodriguez; Solomons; Vaught; Veasey; Villarreal; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hancock; Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Coleman; Dutton; Mowery; Smithee; Straus; Talton; Taylor.

STATEMENT OF VOTE

I was shown voting no on Record No. 1241. I intended to vote yes.

Hodge

Amendment No. 2

Representative Lucio offered the following amendment to **CSHB 539**:

Amend **CSHB 539** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering existing SECTIONS appropriately:

SECTION _____. Section 2154.202(g) Occupations Code, is amended to read as follows:

(g) A retail fireworks permit holder may sell fireworks only to the public, and only during periods:

(1) beginning June 24 and ending at midnight on July 4; ~~and~~

(2) beginning December 20 and ending at midnight on

January 1 of the following year; and

(3) beginning May 1 and ending at midnight on May 6 if the fireworks are sold at a location that is not more than 100 miles from the Texas-Mexico border.

Representative W. Smith moved to table Amendment No. 2.

A record vote was requested.

The motion to table was lost by (Record 1242): 29 Yeas, 110 Nays, 1 Present, not voting.

Yeas — Branch; Coleman; Corte; Crabb; Crownover; Hardcastle; Harper-Brown; Hilderbran; Hill; Hodge; Howard, C.; King, S.; Madden; McCall; Orr; Otto; Parker; Phillips; Pierson; Pitts; Riddle; Smith, W.; Smithee; Swinford; Taylor; Truitt; Van Arsdale; West; Woolley.

Nays — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Christian; Cohen; Cook, B.; Cook, R.; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Harless; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; King, P.; King, T.;

Krusee; Kuempel; Laubenberg; Leibowitz; Lucio; Macias; Mallory Caraway; Martinez; Martinez Fischer; McClendon; Menendez; Merritt; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Patrick; Paxton; Peña; Pickett; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Solomons; Strama; Straus; Talton; Thompson; Turner; Vaught; Veasey; Villarreal; Vo; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hancock; Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Chisum; Keffer; Latham; McReynolds; Mowery; O'Day.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 1242. I intended to vote no.

Hilderbran

I was shown voting yes on Record No. 1242. I intended to vote no.

Parker

Amendment No. 2 was adopted.

A record vote was requested.

CSHB 539, as amended, was passed to engrossment by (Record 1243): 137 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Hamilton.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hancock; Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Berman; Latham; McReynolds; Mowery; Olivo; Thompson; Villarreal.

STATEMENT OF VOTE

When Record No. 1243 was taken, I was temporarily out of the house chamber. I would have voted yes.

Olivo

HB 2660 ON SECOND READING

(by T. King)

HB 2660, A bill to be entitled An Act relating to the use of money from the Texas economic development bank fund for rural rail development.

HB 2660 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3008 ON SECOND READING

(by Pierson, Rose, Truitt, McCall, Parker, et al.)

CSHB 3008, A bill to be entitled An Act relating to the establishment of a pilot program to match certain teens in foster care with adult mentors.

CSHB 3008 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Phillips recorded voting no.)

CSHB 2540 ON SECOND READING

(by Isett)

CSHB 2540, A bill to be entitled An Act relating to implementing a pilot project to simplify, streamline, and reduce costs associated with the Medicaid cost reporting and auditing process for certain providers.

HB 2540 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2074 ON SECOND READING

(by Krusee)

CSHB 2074, A bill to be entitled An Act relating to the creation of the East Williamson County Multi-Institution Teaching Center.

CSHB 2074 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE AYCOCK: Representative Krusee, is it your intent that Temple College provide the funding and the operation of the MITC you propose to create?

REPRESENTATIVE KRUSEE: Yes.

AYCOCK: Is it your intent that you allow Central Texas or the future Texas A&M-Central Texas to teach and be one of the institutions that would teach in that MITC?

KRUSEE: Yes.

AYCOCK: And is it your intent that no funding from the proposed Texas A&M-Central Texas be shifted to the MITC that you intend to create?

KRUSEE: Yes.

AYCOCK: And will your project seek its own funding sources?

KRUSEE: Yes.

REMARKS ORDERED PRINTED

Representative Aycock moved to print remarks between Representative Krusee and Representative Aycock.

The motion prevailed.

CSHB 2074 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 345 ON SECOND READING

(by Flynn)

CSHB 345, A bill to be entitled An Act relating to the collateralization of certain public funds; providing administrative penalties.

Amendment No. 1

Representative Flynn offered the following amendment to **CSHB 345**:

Amend **CSHB 345** as follows:

On page 1, line 22, at the end of Section 2257.102 (a) add the following sentence:

"The rules must provide that deposits of public funds of a county are not eligible for collateralization under the program."

Amendment No. 1 was adopted.

CSHB 345, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock, Dunnam, Herrero, and Leibowitz recorded voting no.)

SB 812 ON SECOND READING

(Woolley - House Sponsor)

SB 812, A bill to be entitled An Act relating to the exemption from ad valorem taxation of property owned by certain nonprofit corporations that provide chilled water and steam to certain health-related institutions of this state.

SB 812 was considered in lieu of **HB 2186**.

SB 812 was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2186 - LAID ON THE TABLE SUBJECT TO CALL

Representative Woolley moved to lay **HB 2186** on the table subject to call.

The motion prevailed.

CSHB 2827 ON SECOND READING
(by Taylor, Gonzales, Truitt, and McReynolds)

CSHB 2827, A bill to be entitled An Act relating to rules regarding anaphylaxis treatment provided by emergency medical services personnel.

CSHB 2827 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2699 ON SECOND READING
(by Turner)

CSHB 2699, A bill to be entitled An Act relating to the creation of special monitors for the Commission on Jail Standards.

Amendment No. 1

Representatives Jackson, Giddings, and Y. Davis offered the following amendment to **CSHB 2699**:

Amend **CSHB 2699** as follows:

- (1) On page 1, line 10, before "management-related", insert "the same".
- (2) On page 2, line 13, strike "ensure that" and substitute "report whether".

Representative Hodge moved to extend speaking time on **CSHB 2699**.

A record vote was requested.

The motion to extend time prevailed by (Record 1244): 66 Yeas, 20 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Bailey; Bolton; Bonnen; Brown, B.; Brown, F.; Burnam; Chavez; Cohen; Coleman; Cook, B.; Cook, R.; Darby; Davis, J.; Delisi; Deshotel; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Garcia; Gonzales; Guillen; Haggerty; Harless; Hartnett; Hernandez; Herrero; Hill; Homer; Hopson; Howard, C.; Howard, D.; Jones; King, S.; King, T.; Leibowitz; Lucio; Madden; Mallory Caraway; McCall; McReynolds; Merritt; Murphy; Naishtat; Noriega; Oliveira; Ortiz; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Smith, W.; Strama; Straus; Swinford; Talton; Vaught; Woolley; Zerwas.

Nays — Aycock; Berman; Bohac; Callegari; Corte; Crownover; Driver; Flynn; Hilderbran; Isett; King, P.; Krusee; Kuempel; Latham; Miller; Morrison; Parker; Riddle; Taylor; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Hancock; Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Alonzo; Anderson; Branch; Castro; Chisum; Christian; Crabb; Creighton; Davis, Y.; Dukes; Eissler; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzalez Toureilles; Goolsby; Hamilton; Hardcastle; Harper-Brown; Heflin; Hochberg; Hodge; Hughes; Jackson; Keffer; Laubenberg; Macias; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Mowery; O'Day; Olivo; Orr; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Rose; Smith, T.; Smithee; Solomons; Thompson; Truitt; Turner; Van Arsdale; Veasey; Villarreal; Vo; West.

CSHB 2699 - POINT OF ORDER

Representative Jackson raised a point of order against further consideration of **CSHB 2699** under Rule 4, Section 32(c)(4) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

(Phillips in the chair)

Representative Turner moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 1245): 77 Yeas, 63 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bailey; Bolton; Branch; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Corte; Darby; Davis, J.; Deshotel; Dukes; Dunnam; Dutton; Elkins; Escobar; Farabee; Farias; Farrar; Flores; Gallego; Garcia; Geren; Gonzales; Gonzalez Toureilles; Guillen; Haggerty; Harless; Heflin; Hernandez; Herrero; Hochberg; Hodge; Howard, D.; Hughes; Isett; Keffer; King, S.; Kuempel; Latham; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Peña; Pickett; Pierson; Quintanilla; Raymond; Riddle; Rodriguez; Strama; Thompson; Turner; Veasey; Vo; Woolley.

Nays — Alonzo; Anderson; Aycock; Berman; Bohac; Bonnen; Brown, B.; Callegari; Chisum; Christian; Cook, B.; Cook, R.; Crabb; Creighton; Crownover; Davis, Y.; Delisi; Driver; Eiland; Eissler; England; Flynn; Frost; Giddings; Goolsby; Hamilton; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Hill; Homer; Hopson; Howard, C.; Jackson; Jones; King, P.; King, T.; Krusee; Laubenberg; Macias; Miller; Morrison; Murphy; Parker; Patrick; Paxton; Pitts; Ritter; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Talton; Taylor; Truitt; Van Arsdale; Vaught; Villarreal; West; Zedler; Zerwas.

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

Absent, Excused — Hancock; Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Mowery; Puente; Rose; Straus.

STATEMENTS OF VOTE

When Record No. 1245 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

I was shown voting yes on Record No. 1245. I intended to vote no.

Woolley

A record vote was requested.

CSHB 2699 was passed to engrossment by (Record 1246): 79 Yeas, 61 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Bailey; Bohac; Bolton; Branch; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Eiland; England; Escobar; Farabee; Farias; Farrar; Flores; Garcia; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Haggerty; Hamilton; Heflin; Hernandez; Herrero; Hodge; Howard, D.; Hughes; Isett; Keffer; King, S.; Kuempel; Latham; Leibowitz; Lucio; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Naishtat; Noriega; O'Day; Oliveira; Olivo; Ortiz; Otto; Peña; Pickett; Pierson; Puente; Quintanilla; Raymond; Rodriguez; Rose; Smithee; Strama; Straus; Thompson; Turner; Vaught; Veasey; Villarreal; Vo.

Nays — Alonzo; Anderson; Aycock; Berman; Bonnen; Brown, B.; Callegari; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Delisi; Driver; Eissler; Elkins; Flynn; Frost; Goolsby; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Homer; Hopson; Howard, C.; Jackson; Jones; King, P.; King, T.; Krusee; Laubenberg; Macias; Merritt; Miller; Morrison; Murphy; Orr; Parker; Patrick; Paxton; Pitts; Riddle; Ritter; Smith, T.; Smith, W.; Solomons; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Woolley; Zedler; Zerwas.

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

Absent, Excused — Hancock; Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Chisum; Gallego; Hochberg; Mowery.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 1246. I intended to vote no.

O'Day

I was shown voting yes on Record No. 1246. I intended to vote no.

Smithee

I was shown voting no on Record No. 1246. I intended to vote yes.

Zedler

MESSAGE FROM THE SENATE

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

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. 36).

POSTPONED BUSINESS

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

(Hancock now present)

CSHB 3828 ON SECOND READING

(by Morrison)

CSHB 3828, A bill to be entitled An Act relating to performance incentive funding for institutions of higher education.

CSHB 3828 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Morrison offered the following amendment to **CSHB 3828**:

Amend **CSHB 3828** as follows:

(1) On page 7, lines 7 and 8, strike added Section 61.9803(a), Education Code, and substitute the following:

(a) This section applies only to:

(1) medical and dental units; and

(2) the Baylor College of Medicine.

(2) On page 8, between lines 5 and 6, insert the following:

(e) Notwithstanding any other provision of this section, a number of points may be assigned under this section for a degree awarded or a first-year residency completed by a student of the Baylor College of Medicine only if the student was awarded the degree or completed the residency in a program at the college for which the college receives state funding under Subchapter D or I.

(3) On page 8, line 9, immediately following "institution of higher education", insert "or other postsecondary educational institution to which this subchapter applies".

(4) On page 9, line 20, between "higher education" and "to which", insert "or other postsecondary educational institutions".

CSHB 3828 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE BAILEY: Geanie, I just wanted to ask a few questions for the record.

REPRESENTATIVE MORRISON: Certainly.

BAILEY: The purpose of this bill is to provide incentive funding or incentive performance funding for schools who do a good job in educating disadvantaged students. Is that correct?

MORRISON: That's absolutely correct.

BAILEY: And there is nothing in the bill that allows the board to provide for any kind of tests for graduation purposes? Is that right?

MORRISON: No, there were some testing requirements in the original bill, but the substitute took all of that out.

BAILEY: I saw that there is a provision to allow testing to determine the performance level of disadvantage students but it's not for graduation. Is that correct?

MORRISON: That's correct. And basically those testings are for degree testing, as far as licensing testing.

BAILEY: The HRO had a statement that the bill would require students transferring to a university from a community college to have a 2.5 grade point average, and I don't believe that's in the bill, is it?

MORRISON: No, it is not. That is inaccurate. Actually, what is in the bill is with the point system it will actually reward students that make a 2.5 or better when they transfer, the institution will receive more funding. But there is nothing in this bill that changes what the requirements are for transferring from a community college to a higher institution of learning.

REMARKS ORDERED PRINTED

Representative Bailey moved to print remarks between Representative Morrison and Representative Bailey.

The motion prevailed.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Morrison offered the following amendment to **CSHB 3828**:

Amend **CSHB 3828** on page 3, line 1, by striking "91.9806" and substituting "61.9806".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Herrero offered the following amendment to **CSHB 3828**:

Amend **CSHB 3828** as follows:

(1) On page 10, strike lines 14 through 18 and renumber the subsequent subdivisions accordingly.

(2) On page 10, line 21, strike the period following "appropriate" and substitute ", except as provided by Subsection (g)".

(3) On page 11, following line 6, insert the following:

(g) The board may not consider end-of-degree and end-of-certificate exams to measure the quality of degrees or certificates.

(Farabee in the chair)

Representative Morrison moved to table Amendment No. 3.

A record vote was requested.

The motion to table prevailed by (Record 1247): 74 Yeas, 56 Nays, 2 Present, not voting.

Yeas — Anderson; Aycock; Bailey; Berman; Bohac; Bonnen; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Driver; Eissler; Elkins; Flynn; Frost; Geren; Goolsby; Haggerty; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; Krusee; Kuempel; Latham; Laubenberg; Macias; Madden; McCall; Miller; Morrison; Murphy; Orr; Otto; Parker; Patrick; Paxton; Phillips; Riddle; Ritter; Rose; Smith, T.; Smithee; Solomons; Straus; Swinford; Talton; Taylor; Truitt; Woolley; Zedler; Zerwas.

Nays — Allen; Anchia; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Deshotel; Dukes; Dunnam; Eiland; England; Escobar; Farias; Flores; Gallego; Garcia; Giddings; Gonzales; Guillen; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; King, T.; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miles; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Pickett; Pierson; Puente; Quintanilla; Raymond; Rodriguez; Strama; Thompson; Turner; Vaught; Veasey; Villarreal.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Alonzo; Branch; Davis, Y.; Dutton; Farrar; Gonzalez Toureilles; Hamilton; Howard, C.; Mowery; O'Day; Pitts; Smith, W.; Van Arsdale; Vo; West.

CSHB 3828, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

HJR 81 ON SECOND READING
(by Parker, et al.)

HJR 81, A joint resolution proposing a constitutional amendment to require a two-thirds vote of the legislature to enact and submit to the voters a law imposing an income tax or increasing that tax.

HJR 81 was read second time earlier today and was postponed until this time.

HJR 81 - POINT OF ORDER

Representative Rodriguez raised a point of order against further consideration of **HJR 81** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The chair sustained the point of order.

HJR 81 was returned to the Committee on Ways and Means.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 3431 ON SECOND READING
(by Strama, Leibowitz, Anchia, Peña, Keffer, et al.)

CSHB 3431, A bill to be entitled An Act relating to the use of anthropogenic carbon dioxide in the recovery of oil.

CSHB 3431 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3282 ON SECOND READING
(by Branch)

CSHB 3282, A bill to be entitled An Act relating to financial advisors and investment advisors retained by bond issuers for the issuance of bonds.

CSHB 3282 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1113 ON SECOND READING
(by Turner)

CSHB 1113, A bill to be entitled An Act relating to prohibitions on and reporting research on children within the juvenile probation system.

CSHB 1113 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3439 ON SECOND READING
(by Parker)

CSHB 3439, A bill to be entitled An Act relating to county fiscal matters.

Amendment No. 1

Representative Parker offered the following amendment to **CSHB 3439**:

Amend **CSHB 3439** (house committee printing) by striking SECTION 6 of the bill and renumbering subsequent SECTIONS accordingly.

Amendment No. 1 was adopted.

CSHB 3439, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Flynn recorded voting no.)

HB 3035 ON SECOND READING
(by Turner)

HB 3035, A bill to be entitled An Act relating to the authority of physicians and chiropractors to form certain entities.

HB 3035 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock and Darby recorded voting no.)

CSHB 2184 ON SECOND READING
(by Dukes and Bailey)

CSHB 2184, A bill to be entitled An Act relating to the right of certain municipalities to maintain local control over wages, hours, and other terms and conditions of employment.

CSHB 2184 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock, B. Cook, Darby, and Flynn recorded voting no.)

CSHB 2099 ON SECOND READING
(by Bailey, Martinez Fischer, Menendez, Leibowitz, McClendon, et al.)

CSHB 2099, A bill to be entitled An Act relating to the right of certain municipalities to maintain local control over wages, hours, and other terms and conditions of employment.

CSHB 2099 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock, B. Cook, Corte, Darby, Flynn, and Straus recorded voting no.)

HB 3764 ON SECOND READING
(by O'Day and Merritt)

HB 3764, A bill to be entitled An Act relating to use of marine dealer, distributor, and manufacturer numbers and issuance of validation cards.

HB 3764 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 209 ON SECOND READING
(by Flores)

CSHB 209, A bill to be entitled An Act relating to eligibility for an award through the Early High School Graduation Scholarship program.

Amendment No. 1

Representative Peña offered the following amendment to **CSHB 209**:

Amend **CSHB 209** (house committee report) on page 1, line 16, by striking "45 consecutive months" and substituting "46 [~~45~~] consecutive months".

Amendment No. 1 was adopted.

CSHB 209, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Flynn, Harper-Brown, and Laubenberg recorded voting no.)

HB 2244 ON SECOND READING
(by Turner)

HB 2244, A bill to be entitled An Act relating to the ratio of correctional officers to prisoners in a county jail.

Amendment No. 1

Representative Turner offered the following amendment to **HB 2244**:

Amend **HB 2244** on page 1 of the bill, between lines 20 and 21, by inserting the following:

(c) The Commission on Jail Standards may grant under Section 511.009(c), Government Code, a reasonable variance to the requirements of this section.

Representative Jackson moved to extend speaking time on **HB 2244**.

A record vote was requested.

The motion to extend time was lost by (Record 1248): 49 Yeas, 74 Nays, 2 Present, not voting.

Yeas — Alonzo; Anchia; Anderson; Bolton; Burnam; Coleman; Crabb; Davis, J.; Davis, Y.; Delisi; Deshotel; Dunnam; Eiland; Elkins; England; Farrar; Gallego; Garcia; Hartnett; Hernandez; Hill; Hochberg; Hopson; Howard, D.;

King, S.; Kuempel; Leibowitz; Lucio; Madden; Mallory Caraway; McCall; Merritt; Naishtat; Noriega; Oliveira; Olivo; Orr; Otto; Peña; Pierson; Riddle; Rodriguez; Smith, T.; Strama; Talton; Thompson; Vaught; Woolley; Zerwas.

Nays — Aycock; Bailey; Berman; Bohac; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Cohen; Cook, B.; Cook, R.; Corte; Creighton; Darby; Driver; Eissler; Escobar; Flores; Flynn; Frost; Geren; Gonzalez Toureilles; Guillen; Haggerty; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hilderbran; Hodge; Homer; Howard, C.; Hughes; Isett; Jones; King, P.; King, T.; Krusee; Latham; Laubenberg; Macias; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Miles; Miller; Morrison; Murphy; O'Day; Parker; Patrick; Paxton; Pickett; Pitts; Quintanilla; Raymond; Ritter; Rose; Smith, W.; Smithee; Solomons; Straus; Swinford; Truitt; Turner; Van Arsdale; Veasey; Villarreal; West; Zedler.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Allen; Bonnen; Branch; Chisum; Christian; Crownover; Dukes; Dutton; Farias; Giddings; Gonzales; Goolsby; Hamilton; Herrero; Jackson; Keffer; Mowery; Ortiz; Phillips; Puente; Taylor; Vo.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Phillips offered the following amendment to **HB 2244**:

Amend **HB 2244** on page 1, between lines 20 and 21, by inserting the following:

"(c) This section does not apply to a county jail located in a county with a population of less than 150,000."

A record vote was requested.

Amendment No. 2 was adopted by (Record 1249): 113 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Brown, B.; Brown, F.; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Creighton; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dunnam; Eiland; Eissler; England; Escobar; Flores; Flynn; Gallego; Garcia; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hancock; Hardcastle; Harless; Harper-Brown; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Otto;

Parker; Patrick; Paxton; Peña; Phillips; Pitts; Quintanilla; Raymond; Ritter; Rodriguez; Smith, T.; Smith, W.; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Villarreal; West; Woolley; Zedler; Zerwas.

Nays — Branch; Crabb; Elkins; Frost; Hamilton; Merritt; Riddle.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Anderson; Burnam; Crownover; Dukes; Dutton; Farias; Farrar; Geren; Giddings; Hartnett; Hopson; Menendez; Mowery; Ortiz; Pickett; Pierson; Puente; Rose; Smithee; Solomons; Thompson; Van Arsdale; Vaught; Veasey; Vo.

STATEMENT OF VOTE

When Record No. 1249 was taken, I was in the house but away from my desk. I would have voted yes.

Solomons

Amendment No. 3

Representatives Jackson, Giddings, and Y. Davis offered the following amendment to **HB 2244**:

Amend **HB 2244** (house committee printing) on page 1, between lines 20 and 21, by inserting the following:

(c) This section does not limit the authority of the Commission on Jail Standards under Section 511.009(c), Government Code, to grant a temporary or permanent variance to the requirements of this section if the county demonstrates a justifiable need for the variance.

Amendment No. 3 was withdrawn.

Amendment No. 4

Representative Heflin offered the following amendment to **HB 2244**:

Amend **HB 2244** by inserting a new subsection (c) to read as follows:

(c) Nothing in this section shall prohibit the commission from adopting a standard for the ratio of correctional officers to prisoners that is most appropriate for the design and operation of a specific jail or type of jail.

Amendment No. 4 was adopted.

A record vote was requested.

HB 2244, as amended, was passed to engrossment by (Record 1250): 76 Yeas, 61 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Bailey; Bolton; Bonnen; Burnam; Castro; Chavez; Cohen; Coleman; Cook, R.; Corte; Creighton; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Escobar; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes;

King, S.; Krusee; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Murphy; Naishtat; Noriega; Oliveira; Olivo; Ortiz; Peña; Pickett; Pierson; Puente; Raymond; Ritter; Rodriguez; Rose; Strama; Straus; Turner; Veasey; Villarreal; Vo; Zedler; Zerwas.

Nays — Aycock; Berman; Bohac; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Crabb; Crownover; Darby; Davis, J.; Delisi; Eiland; Eissler; Elkins; England; Flynn; Geren; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hill; Howard, C.; Isett; Jackson; Jones; Keffer; King, P.; King, T.; Kuempel; Latham; Laubenberg; Merritt; Miller; Morrison; O'Day; Orr; Otto; Parker; Patrick; Paxton; Phillips; Pitts; Riddle; Smith, T.; Smith, W.; Smithee; Solomons; Talton; Taylor; Truitt; Van Arsdale; Vaught; West; Woolley.

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

Absent, Excused — Moreno.

Absent, Excused, Committee Meeting — Gattis; Kolkhorst.

Absent — Anderson; Dutton; Farias; Hartnett; Mowery; Quintanilla; Thompson.

STATEMENTS OF VOTE

When Record No. 1250 was taken, I was in the house but away from my desk. I would have voted no.

Anderson

I was shown voting yes on Record No. 1250. I intended to vote no.

Bonnen

When Record No. 1250 was taken, I was temporarily out of the house chamber. I would have voted no.

Hartnett

I was shown voting yes on Record No. 1250. I intended to vote no.

D. Howard

I was shown voting yes on Record No. 1250. I intended to vote no.

Hughes

I was shown voting yes on Record No. 1250. I intended to vote no.

Macias

I was shown voting yes on Record No. 1250. I intended to vote no.

McCall

I was shown voting yes on Record No. 1250. I intended to vote no.

Murphy

HB 315 ON SECOND READING
(by Miller and Hamilton)

HB 315, A bill to be entitled An Act relating to the career ladder for certain prison industry workers.

Amendment No. 1

Representative Miller offered the following amendment to **HB 315**:

Amend **HB 315** (house committee printing) on page 1, line 21, between "commodity specialist" and the underlined comma, by inserting ",truck driver".

Amendment No. 1 was adopted.

HB 315, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Madden in the chair)

CSHB 2283 ON SECOND READING
(by Chavez)

CSHB 2283, A bill to be entitled An Act relating to the suspension or removal of a deputy sheriff.

CSHB 2283 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock, B. Brown, Harper-Brown, Parker, Phillips, and Taylor recorded voting no.)

CSHB 2496 ON SECOND READING
(by Hughes)

CSHB 2496, A bill to be entitled An Act relating to qualification for the exemption from ad valorem taxation for property of organizations engaged primarily in performing charitable functions.

Amendment No. 1

Representative Zedler offered the following amendment to **CSHB 2496**:

Amend **CSHB 2496** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Section 11.20(j), Tax Code, is amended to read as follows:

(j) A tract of land that is contiguous to the tract of land on which the religious organization's place of regular religious worship is located may not be exempted under Subsection (a)(6) for more than 15 [~~six~~] years if the tract of land does not exceed three acres or for more than 10 years if the tract of land exceeds three acres. A tract of land that is not contiguous to the tract of land on which the religious organization's place of regular religious worship is located may not be

exempted under Subsection (a)(6) for more than five ~~three~~ years. For purposes of this subsection, a tract of land is considered to be contiguous with another tract of land if the tracts are divided only by a road, railroad track, river, or stream.

SECTION _____. Sections 11.201(a) and (e), Tax Code, are amended to read as follows:

(a) If land is sold or otherwise transferred to another person in a year in which the land receives an exemption under Section 11.20(a)(6), an additional tax is imposed on the land equal to the tax that would have been imposed on the land had the land been taxed for each of the seven ~~five~~ years preceding the year in which the sale or transfer occurs in which the land received an exemption under that subsection, plus interest at an annual rate of seven percent calculated from the dates on which the taxes would have become due.

(e) The sanctions provided by Subsection (a) do not apply if the sale or transfer occurs as a result of:

(1) a sale for right-of-way;
(2) a condemnation;
(3) a transfer of property to the state or a political subdivision of the state to be used for a public purpose; ~~or~~

(4) a transfer of property to a religious organization that qualifies the property for an exemption under Section 11.20 for the tax year in which the transfer occurs; or

(5) a transfer of property to an educational, religious, charitable, or other similar organization that is qualified as a charitable organization under Section 501(c)(3), Internal Revenue Code of 1986.

Amendment No. 1 was adopted.

CSHB 2496, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 332 ON SECOND READING
(by Chisum and Swinford)

CSHB 332, A bill to be entitled An Act relating to the exemption for certain educational facilities from the child-care licensing requirements.

CSHB 332 - POINT OF ORDER

Representative Talton raised a point of order against further consideration of **CSHB 332** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The chair sustained the point of order.

CSHB 332 was returned to the Committee on Public Health.

CSHB 405 ON SECOND READING
(by J. Davis)

CSHB 405, A bill to be entitled An Act relating to the authority of an emergency room physician to hold a person believed to have a mental illness.

Amendment No. 1

Representative Burnam offered the following amendment to **CSHB 405**:

Amend **CSHB 405** (house committee printing) by striking page 2, lines 4 through 6.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Isett offered the following amendment to **CSHB 405**:

Amend **CSHB 405** as follows:

Beginning on page 1, line 13: Strike through "A physician may hold the patient for 24 hours."

And substitute, "A physician may hold the patient for no more than 3 hours."

Amendment No. 2 was withdrawn.

CSHB 405 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Bolton, Farrar, Hernandez, Herrero, C. Howard, D. Howard, Isett, S. King, Leibowitz, Naishtat, Otto, and Rodriguez recorded voting no.)

POSTPONED BUSINESS

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

**CSHB 3954 ON SECOND READING
(by Macias)**

CSHB 3954, A bill to be entitled An Act relating to improvement projects in certain counties.

CSHB 3954 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Puente offered the following amendment to **CSHB 3954**:

Amend **CSHB 3954** on page 2, line 27, after the period, by inserting "If the county is a county described by 372.1011(2), the petition described by this subsection must also be approved by a resolution adopted by each municipality described by that section.".

Amendment No. 2

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

Amend the Puente amendment to **CSHB 3954** on page 1, lines 4-5 by striking "each municipality described by that section" and substituting "the municipality with a population of 1.1 million or more".

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

CSHB 3954 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE VILLARREAL: Mr. Macias, we had a conversation earlier, and I was just hoping to get this on the record. This development project will not take place without the consent of the city of San Antonio since it is partially within its ETJ.

REPRESENTATIVE MACIAS: That is correct.

VILLARREAL: And the developer will respect the current standards of impervious cover that the city of San Antonio imposes on similar developments?

MACIAS: That is correct.

REMARKS ORDERED PRINTED

Representative Villarreal moved to print remarks between Representative Macias and Representative Villarreal.

The motion prevailed.

CSHB 3954, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Castro recorded voting no.)

GENERAL STATE CALENDAR (consideration continued)

HB 2653 ON SECOND READING (by Harless)

HB 2653, A bill to be entitled An Act relating to the election and disqualification of emergency services commissioners in certain populous counties.

HB 2653 - POINT OF ORDER

Representative Talton raised a point of order against further consideration of **HB 2653** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The chair overruled the point of order.

HB 2653 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3261 ON SECOND READING (by Chavez)

CSHB 3261, A bill to be entitled An Act relating to the use of electronic signatures in the administration of health and human services programs.

CSHB 3261 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1481 ON SECOND READING
(by Castro)

CSHB 1481, A bill to be entitled An Act relating to standing for certain individuals to file a suit affecting the parent-child relationship.

CSHB 1481 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Anderson, Laubenberg, and Phillips recorded voting no.)

HB 649 ON SECOND READING
(by McCall and Miles)

HB 649, A bill to be entitled An Act relating to the fraudulent use of a child's identifying information.

HB 649 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Pickett in the chair)

HB 2078 ON SECOND READING
(by Eiland)

HB 2078, A bill to be entitled An Act relating to health care coverage for a child in a suit affecting the parent-child relationship.

HB 2078 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 454 ON SECOND READING
(by Rodriguez, Dutton, Keffer, et al.)

CSHB 454, A bill to be entitled An Act relating to a study of methods to increase public school student participation in the national school breakfast program and school district participation in a special assistance provision of the national free or reduced-price breakfast or lunch program.

Amendment No. 1

Representative Villarreal offered the following amendment to **CSHB 454**:

Amend **CSHB 454** as follows:

(1) On page 2, between lines 2 and 3, insert the following new Subsection (c) and reletter the subsequent subsections accordingly:

(c) The agency shall coordinate with the Health and Human Services Commission regarding methods to increase community awareness of nutrition programs, including community awareness of other programs that provide public nutrition assistance to students eligible for services under Section 29.153.

(2) On page 2, between lines 24 and 25, insert the following new Subsection (f) and reletter the subsequent subsection accordingly:

(f) The agency shall makes recommendations to school districts regarding methods to increase communication with the community, including effective methods to communicate with the parent of current students regarding the availability of the national school breakfast program provided by the Child Nutrition Act of 1966 (42 U.S.C. Section 1773) and other programs that provide public nutrition assistance to students eligible for services under Section 29.153.

Amendment No. 1 was adopted.

CSHB 454, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock, Bohac, B. Brown, Harper-Brown, Laubenberg, and Phillips recorded voting no.)

HB 1276 ON SECOND READING

(by Y. Davis and Coleman)

HB 1276, A bill to be entitled An Act relating to the testing of certain inmates for HIV or AIDS.

Representative Coleman moved to postpone consideration of **HB 1276** until 8:15 p.m. today.

The motion prevailed.

CSHB 541 ON SECOND READING

(by Martinez Fischer, Van Arsdale, Gonzalez Toureilles, Peña, Herrero, et al.)

CSHB 541, A bill to be entitled An Act relating to procedures for certain persons charged with certain new offenses or an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or mandatory supervision.

CSHB 541 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown and Phillips recorded voting no.)

HB 773 ON SECOND READING

(by Dutton, Laubenberg, and Van Arsdale)

HB 773, A bill to be entitled An Act relating to consideration of the financial resources of each parent of a child in determining the amount of required periodic child support payments.

Amendment No. 1 (Committee Amendment No. 1)

Representative Dutton offered the following committee amendment to **HB 773**:

Amend **HB 773** by striking page 1, lines 15 through 21, and substituting the following:

(b) If a party alleges that application of the guidelines would be unjust or inappropriate, a [A] court must [may] determine whether [that] the application of the guidelines would be unjust or inappropriate under the circumstances. In making the determination, a court shall consider all evidence relevant to the factors specified by Sections 154.123(b)(2) and (5), as well as any other factor specified by Section 154.123(b).

Amendment No. 1 was adopted.

HB 773, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1435 ON SECOND READING
(by Rose)

CSHB 1435, A bill to be entitled An Act relating to notification provided by certain health care providers to students and parents or guardians of students who participate in extracurricular sports activities sponsored or sanctioned by the University Interscholastic League.

CSHB 1435 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock and Phillips recorded voting no.)

HB 777 ON SECOND READING
(by Dutton)

HB 777, A bill to be entitled An Act relating to the sentencing of juveniles in juvenile court and the functions of the Texas Youth Commission.

HB 777 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown recorded voting no.)

HB 1166 ON SECOND READING
(by Gallego)

HB 1166, A bill to be entitled An Act relating to the authority of certain counties to develop a parks and recreation system under the law governing sports and community venue projects.

HB 1166 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1919 ON SECOND READING

(by T. Smith)

CSHB 1919, A bill to be entitled An Act relating to health benefit plan coverage for treatment for certain brain injuries.

Amendment No. 1

Representative T. Smith offered the following amendment to **CSHB 1919**:

Amend **CSHB 1919** as follows:

(1) On page 1, line 8, between "including" and "a small employer", insert ", subject to this chapter,".

(2) On page 2, strike lines 7-10.

(3) On page 2, line 11, strike "(c)" and substitute "(b)".

(4) On page 2, line 20, strike "REQUIRED COVERAGES" and substitute "REQUIRED COVERAGES—HEALTH BENEFIT PLANS OTHER THAN SMALL EMPLOYER HEALTH BENEFIT PLANS".

(5) On page 4, between lines 10 and 11, insert the following:

(h) This section does not apply to a small employer health benefit plan.

SECTION 3. Chapter 1352, Insurance Code, is amended by adding Section 1352.0035 to read as follows:

Sec. 1352.0035. REQUIRED COVERAGES—SMALL EMPLOYER HEALTH BENEFIT PLANS. (a) A small employer health benefit plan may not exclude coverage for cognitive rehabilitation therapy, cognitive communication therapy, neurocognitive therapy and rehabilitation, neurobehavioral, neurophysiological, neuropsychological, or psychophysiological testing or treatment, neurofeedback therapy, remediation, post-acute transition services, or community reintegration services necessary as a result of and related to an acquired brain injury.

(b) Coverage required under this section may be subject to deductibles, copayments, coinsurance, or annual or maximum payment limits that are consistent with the deductibles, copayments, coinsurance, or annual or maximum payment limits applicable to other similar coverage provided under the small employer health benefit plan.

(c) The commissioner shall adopt rules as necessary to implement this section.

(6) On page 4, line 26, between "subject to this chapter" and "must notify", insert ", other than a small employer health benefit plan issuer,".

(7) On page 6, line 10, after "the issuer." insert "This subsection does not apply to a small employer health benefit plan.".

(8) On page 6, line 16, between "FACILITIES." and "A health benefit plan", insert "(a)".

(9) On page 7, between lines 4 and 5, insert the following:

"(b) This section does not apply to a small employer health benefit plan."
 (10) Renumber the SECTIONS of the bill accordingly.

AMENDMENT NO. 1 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE TAYLOR: Representative Smith, in your amendment that you just added here, now your purpose throughout this bill is to not include the small groups, which in state law is defined as 50 or under lives?

REPRESENTATIVE T. SMITH: That's correct.

TAYLOR: And your intent is not to include political subdivisions, those health pools they've got?

T. SMITH: That's correct.

TAYLOR: And this is not affecting consumer choice health plans?

T. SMITH: That's correct.

REMARKS ORDERED PRINTED

Representative Taylor moved to print remarks between Representative T. Smith and Representative Taylor.

The motion prevailed.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Farabee offered the following amendment to **CSHB 1919**:

Amend **CSHB 1919** by inserting the following appropriately numbered SECTIONS and renumbering existing SECTIONS of the bill accordingly:

SECTION _____. Section 1355.001(1), Insurance Code, is amended to read as follows:

(1) "Serious mental illness" means the following psychiatric illnesses as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual (DSM):

- (A) bipolar disorders (hypomanic, manic, depressive, and mixed);
- (B) depression in childhood and adolescence;
- (C) major depressive disorders (single episode or recurrent);
- (D) obsessive-compulsive disorders;
- (E) paranoid and other psychotic disorders;
- (F) pervasive developmental disorders;
- (G) schizo-affective disorders (bipolar or depressive); ~~and~~
- (H) schizophrenia; and
- (I) anorexia nervosa and bulimia nervosa.

SECTION _____. Section 1355.007, Insurance Code, is amended to read as follows:

Sec. 1355.007. SMALL EMPLOYER COVERAGE. (a) An issuer of a group health benefit plan to a small employer must offer the coverage described by Section 1355.004 to the employer but is not required to provide the coverage if the employer rejects the coverage.

(b) Regardless of whether a small employer accepts the coverage required by Subsection (a), an issuer of a group health benefit plan to a small employer must provide the coverage required by Section 1355.004 for persons under the age of 19 years for the following psychiatric illnesses as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual (DSM):

(1) depression in childhood and adolescence; and

(2) anorexia nervosa and bulimia nervosa.

SECTION _____. (a) On or before September 1, 2012, the Sunset Advisory Commission shall conduct a study to determine:

(1) to what extent the health benefit plan coverage required by the change in law made by this Act to Chapter 1355, Insurance Code, is being used by enrollees in health benefit plans to which those articles apply; and

(2) the impact of the required coverage on the cost of those health benefit plans.

(b) The Sunset Advisory Commission shall report its findings under this section to the legislature on or before January 1, 2013.

(c) The Texas Department of Insurance and any other state agency shall cooperate with the Sunset Advisory Commission as necessary to implement this section.

AMENDMENT NO. 2 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE TAYLOR: Representative Farabee, when we worked on this, on your bill, we were very specific that this not include consumer choice health plans. Is that true?

REPRESENTATIVE FARABEE: That is true.

TAYLOR: So your intent is to not cover those?

FARABEE: That is my intent.

REMARKS ORDERED PRINTED

Representative Taylor moved to print remarks between Representative Farabee and Representative Taylor.

The motion prevailed.

Amendment No. 2 was adopted.

CSHB 1919, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock, Harper-Brown, and Phillips recorded voting no.)

CSHB 831 ON SECOND READING

(by Raymond)

CSHB 831, A bill to be entitled An Act relating to the eligibility of certain counties to adopt a civil service system.

CSHB 831 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock recorded voting no.)

HB 778 ON SECOND READING
(by Dutton)

HB 778, A bill to be entitled An Act relating to child support orders for more than one child and the automatic modification of the total amount required as the duty to support each child terminates.

HB 778 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1275 ON SECOND READING
(by McClendon and Rose)

CSHB 1275, A bill to be entitled An Act relating to the appeal by an individual entitled to a veteran's preference of certain adverse employment decisions.

Amendment No. 1

Representative McClendon offered the following amendment to **CSHB 1275**:

Amend **CSHB 1275** as follows:

(1) On page 1, line 7, strike "SUIT TO APPEAL" and substitute "COMPLAINT REGARDING".

(2) On page 1, lines 13 and 14, strike "bringing a cause of action against" and substitute "filing a written complaint with the governing body of".

(3) On page 1, strike lines 15 through 20 and substitute the following:

(b) The governing body of a public entity or public work that receives a written complaint under Subsection (a) shall respond to the complaint not later than the 15th business day after the date the governing body receives the complaint. The governing body may render a different hiring decision than the decision that is the subject of the complaint if the governing body determines that the veteran's preference was not applied.

(4) Insert the following appropriately numbered section and renumber the sections of the bill accordingly:

SECTION _____. Section 657.008(a), Government Code, is amended to read as follows:

(a) A public entity shall file quarterly with the comptroller a report that states:

(1) the percentage of the total number of employees hired by the entity during the reporting period who are persons entitled to a preference under this chapter; ~~and~~

(2) the percentage of the total number of the entity's employees who are persons entitled to a preference under this chapter; and

(3) the number of complaints filed with the governing body of the entity under Section 657.010 during that quarter and the number of those complaints resolved by the governing body.

Amendment No. 1 was adopted.

CSHB 1275, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3299 ON SECOND READING
(by Callegari and Flynn)

CSHB 3299, A bill to be entitled An Act relating to the amount, collection, and refund of certain local fines and fees.

Amendment No. 1

Representative Callegari offered the following amendment to **CSHB 3299**:

Amend **CSHB 3299** (House Committee Printing) as follows:

- (1) On page 1, line 14, strike "annually" and substitute "every five years".
- (2) On page 2, line 3, strike "of each year" and substitute "every five years".
- (3) On page 2, line 5, strike "each" and substitute "that".
- (4) On page 2, line 6, strike "each calendar year" and insert "the calendar year in which the adjustment is made".
- (5) Strike SECTION 3 of the bill and renumber the subsequent sections appropriately.

Amendment No. 1 was adopted.

CSHB 3299, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Speaker in the chair)

HB 1812 ON SECOND READING
(by Talton and Murphy)

HB 1812, A bill to be entitled An Act relating to the punishment of the offense of aggravated assault.

HB 1812 - POINT OF ORDER

Representative Corte raised a point of order against further consideration of **HB 1812** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

COMMITTEE GRANTED PERMISSION TO MEET

Representative C. Howard requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 8:30 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:

Local and Consent Calendars, 8:30 p.m. today, 3W.9, for a formal meeting, to consider a calendar.

HB 1812 - (consideration continued)

The speaker sustained the point of order.

HB 1812 was returned to the Committee on Criminal Jurisprudence.

CSHB 1285 ON SECOND READING

(by Zedler)

CSHB 1285, A bill to be entitled An Act relating to accreditation requirements for certain workers' compensation health care networks.

CSHB 1285 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **CSHB 1285** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Amendment No. 1

Representative Zedler offered the following amendment to **CSHB 1285**:

Amend **CSHB 1285** as follows:

- (1) On page 1, line 7, strike "(a) In".
- (2) On page 1, strike lines 8-10.
- (3) On page 1, line 11, strike "(b)".
- (4) On page 1, line 15, strike "URAC-accredited or accredited by a similar" and substitute "accredited by a".

Amendment No. 1 was adopted.

CSHB 1285, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

HB 1264 ON SECOND READING

(by Peña)

HB 1264, A bill to be entitled An Act relating to the admissibility of evidence of other similar offenses in the prosecution of certain sexual offenses.

HB 1264 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2936 ON SECOND READING

(by Farrar)

HB 2936, A bill to be entitled An Act relating to exempting certain community development corporations from the Texas Residential Construction Commission Act.

Amendment No. 1

Representative Farrar offered the following amendment to **HB 2936**:

Amend **HB 2936** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 401.003, Property Code, is amended by adding Subsection (d) to read as follows:

(d) The term does not include a nonprofit business entity that is exempt from taxation under Section 501(c)(3), Internal Revenue Code, if:

(1) the construction or supervision or management of the construction of the home, material improvement, or improvement sold by the nonprofit business entity is performed by a builder registered under this title;

(2) the builder contractually agrees to comply with the provisions of this title;

(3) the builder is contractually liable to the homeowner for the warranties and building and performance standards of this title; and

(4) the nonprofit business entity does not participate directly in the construction of the home, material improvement, or improvement.

SECTION 2. (a) This Act applies only to the following that are filed on or after the effective date of this Act:

(1) an application for a building permit or registration or certification as a builder; or

(2) a request for state-sponsored inspection and dispute resolution.

(b) An application for a building permit or for registration or certification as a builder or a request for state-sponsored inspection and dispute resolution that was filed before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2007.

Amendment No. 1 was adopted.

HB 2936, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

SB 978 ON SECOND READING
(Eiland - House Sponsor)

SB 978, A bill to be entitled An Act relating to assessment of a premium surcharge on renewal of certain insurance policies.

SB 978 was considered in lieu of **HB 1913**.

SB 978 was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1913 - LAID ON THE TABLE SUBJECT TO CALL

Representative Eiland moved to lay **HB 1913** on the table subject to call.

The motion prevailed.

CSHB 3443 ON SECOND READING
(by D. Howard)

CSHB 3443, A bill to be entitled An Act relating to the Texas hospital-based nursing education partnership grant program.

CSHB 3443 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Phillips in the chair)

CSHB 3297 ON SECOND READING
(by Callegari, Flynn, Anderson, and Miller)

CSHB 3297, A bill to be entitled An Act relating to paperwork requirements and unfunded mandates imposed on school districts.

Amendment No. 1

Representative Callegari offered the following amendment to **CSHB 3297**:

Amend **CSHB 3297** (House Committee Report) by inserting the following appropriately number SECTION and renumbering the subsequent SECTIONS accordingly:

(1) SECTION _____. Section 61.012(c), Election Code, is amended to read as follows:

(c) The requirement imposed by Subsection (a) does not apply to an election of trustees of an independent school district, other than an election of an independent school district that is held jointly with another election in which a federal office appears on the ballot, unless the independent school district receives state or federal funds in an amount sufficient to pay for all costs associated with providing the voting station. ~~[held before January 1, 2008. This subsection expires January 1, 2008.]~~"

Amendment No. 1 was adopted.

Amendment No. 2

Representative Callegari offered the following amendment to **CSHB 3297**:

Amend **CSHB 3297** (House Committee Printing) by adding the following appropriately numbered SECTION and renumbering the subsequent SECTIONS appropriately:

SECTION _____. Section 791.011(e), Government Code, is amended to read as follows:

(e) An interlocal contractual payment must be in an amount that fairly compensates the performing party for the services or functions performed under the contract except that nothing shall prohibit the local government from being reimbursed for its expenses or sharing in the profits or revenues of the performing party.

Amendment No. 2 was adopted.

CSHB 3297, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

**SB 1318 ON SECOND READING
(J. Davis - House Sponsor)**

SB 1318, A bill to be entitled An Act relating to the regulation of adult day-care facilities and long-term care facilities, including the establishment of late fees and changes to administrative penalties, and relating to the office of the state long-term care ombudsman.

SB 1318 was considered in lieu of **HB 1715**.

Amendment No. 1

On behalf of Representative B. Brown, Representative J. Davis offered the following amendment to **SB 1318**:

Amend **SB 1318** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering existing SECTIONS accordingly:

SECTION _____. Section 247.069, Health and Safety Code, is amended to read as follows:

Sec. 247.069. CONSUMER CHOICE FOR ASSISTED LIVING IN COMMUNITY CARE PROGRAMS. The community based alternatives program and the residential care programs, which provide an assisted living option to consumers, shall provide a consumer the opportunity to choose an assisted living facility that meets the department's licensing standards relating to facility construction without regard to the number of units in the facility, if[-

~~[(1)] consumers are advised of all other community care options[-and~~

~~[(2)] the facility;~~

~~[(A) has never been licensed by the department as anything other than an assisted living facility;~~

~~[(B) is not physically connected to a skilled nursing facility;~~

~~[(C) was constructed before September 1, 2005; and
[(D) otherwise meets all other community care program standards].~~

Amendment No. 1 was adopted.

SB 1318, as amended, was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1715 - LAID ON THE TABLE SUBJECT TO CALL

Representative J. Davis moved to lay **HB 1715** on the table subject to call.

The motion prevailed.

HB 2739 ON SECOND READING (by Quintanilla)

HB 2739, A bill to be entitled An Act relating to the sale of lottery tickets at a location at which a person holds an alcoholic beverage permit.

HB 2739 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Anderson, Aycock, Bohac, Harper-Brown, Hughes, Phillips, Taylor, and Zedler recorded voting no.)

CSHB 1662 ON SECOND READING (by Eiland)

CSHB 1662, A bill to be entitled An Act relating to the authority of the attorney general to bring suit on behalf of individuals injured by unlawful practices in restraint of trade.

CSHB 1662 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1671 ON SECOND READING (by Homer)

HB 1671, A bill to be entitled An Act relating to limiting the authority of a property owner to erect a gate on certain third-class and neighborhood roads.

HB 1671 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2100 ON SECOND READING (by Haggerty)

CSHB 2100, A bill to be entitled An Act relating to medical facilities for inmates released on medically recommended intensive supervision.

CSHB 2100 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Flynn, Harper-Brown, and Phillips recorded voting no.)

HB 1675 ON SECOND READING
(by Dutton)

HB 1675, A bill to be entitled An Act relating to the applicability of provisions of the Education Code to certain disciplinary alternative education programs.

Amendment No. 1

Representative Dutton offered the following amendment to **HB 1675**:

Amend **HB 1675** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 29.081(e), Education Code, is amended to read as follows:

(e) A school district may use a private or public community-based dropout recovery education program to provide alternative education programs for students at risk of dropping out of school. The programs must:

(1) provide not less than the minimum amount [~~four hours~~] of instructional time per day required under Section 25.082(a);

(2) employ as faculty and administrators persons with baccalaureate or advanced degrees who meet all certification requirements established under Subchapter B, Chapter 21;

(3) provide at least one instructor for each 28 students;

(4) perform satisfactorily according to performance indicators and accountability standards adopted for alternative education programs by the commissioner; and

(5) comply with this title and rules adopted under this title except as otherwise provided by this subsection.

SECTION 2. Sections 37.008(a) through (c), Education Code, are amended to read as follows:

(a) Each school district shall provide a disciplinary alternative education program that:

(1) is provided in a setting other than a student's regular classroom;

(2) is located on or off of a regular school campus;

(3) provides for the students who are assigned to the disciplinary alternative education program to be separated from students who are not assigned to the program;

(4) focuses on English language arts, mathematics, science, history, and self-discipline;

(5) provides for students' educational and behavioral needs;

(6) provides supervision and counseling;

(7) employs only teachers who ~~[requires that to teach in an off-campus disciplinary alternative education program, each teacher]~~ meet all certification requirements established under Subchapter B, Chapter 21; and

(8) provides not less than the minimum amount of instructional time per day required by Section 25.082(a) [notwithstanding Subdivision (7), requires that to teach in a disciplinary alternative education program of any kind, each teacher employed by a school district during the 2003-2004 school year or an earlier school year meet, not later than the beginning of the 2005-2006 school year, all certification requirements established under Subchapter B, Chapter 21].

(b) A disciplinary alternative education program may provide for a student's transfer to:

(1) a different campus;

(2) a school-community guidance center under Subchapter B; or

(3) a community-based alternative school, including a community-based dropout recovery education program under Section 29.081(e).

(c) An off-campus disciplinary alternative education program, including a school-community guidance center, a community-based alternative school, or a community-based dropout recovery education program, is not subject to a requirement imposed by this title, other than:

(1) a limitation on liability;

(2) [;] a reporting requirement;

(3) [~~or~~] a requirement imposed by this chapter or by Chapter 39; or

(4) any other requirement imposed by this title that applies to an on-campus disciplinary alternative education program.

SECTION 3. Sections 29.081(e) and 37.008, Education Code, as amended by this Act, apply beginning with the 2007-2008 school year.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

Amendment No. 1 was adopted.

HB 1675, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1747 ON SECOND READING (by Morrison)

HB 1747, A bill to be entitled An Act relating to the termination of parental rights with regard to certain abandoned children.

HB 1747 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2862 ON SECOND READING
(by Crabb)

CSHB 2862, A bill to be entitled An Act relating to requiring a distinctive symbol or marking on the driver's license issued to a person convicted a second or subsequent time of certain intoxication offenses.

CSHB 2862 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 3417 ON SECOND READING
(by Garcia and Herrero)

HB 3417, A bill to be entitled An Act relating to the sales and use tax imposed by municipal crime control and prevention districts.

HB 3417 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSSB 877 ON SECOND READING
(Vaught - House Sponsor)

CSSB 877, A bill to be entitled An Act relating to a limitation on judge-ordered community supervision for a defendant convicted of first-degree felony injury to a child.

CSSB 877 was considered in lieu of **HB 2719**.

CSSB 877 was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2719 - LAID ON THE TABLE SUBJECT TO CALL

Representative Vaught moved to lay **HB 2719** on the table subject to call.

The motion prevailed.

(Speaker in the chair)

SB 883 ON SECOND READING
(Laubenberg - House Sponsor)

SB 883, A bill to be entitled An Act relating to the imposition of impact fees on the property of a school district.

SB 883 was considered in lieu of **HB 2038**.

SB 883 was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2038 - LAID ON THE TABLE SUBJECT TO CALL

Representative Laubenberg moved to lay **HB 2038** on the table subject to call.

The motion prevailed.

CSHB 14 ON SECOND READING

(by **Keffer, Rose, Delisi, Morrison, Thompson, et al.**)

CSHB 14, A bill to be entitled An Act relating to reorganizing certain state institutions that provide financing for cancer research, including creating the Cancer Prevention and Research Institute of Texas; granting authority to issue bonds.

Amendment No. 1

Representative Coleman offered the following amendment to **CSHB 14**:

Amend **CSHB 14** as follows:

- (1) On page 3, line 14, strike "and".
- (2) On page 3, line 18, following the semicolon, insert "and".
- (3) On page 3, between lines 18 and 19, insert the following:

"(D) cancer prevention and control programs in this state to mitigate the incidence of all types of cancer in humans;"

- (4) On page 15, line 26, strike "and".
- (5) On page 15, line 27, strike the period and substitute "; and".
- (6) On page 15, following line 27, insert the following:

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

- (7) On page 17, line 15, strike "10" and substitute "five".
- (8) On page 17, line 18, strike "five" and substitute "10".
- (9) On page 17, line 19, strike "cancer control" and substitute "cancer prevention and control".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Rose offered the following amendment to **CSHB 14**:

Amend **CSHB 14** as follows:

(1) On page 6, line 20, strike "governor or the governor's" and substitute "attorney general or the attorney general's".

(2) On page 11, strike lines 9 through 13, and substitute the following:

Sec. 102.104 [~~102.006~~]. OFFICERS. The oversight committee [~~governor~~] shall select a [~~designate a member of the council, other than the ex officio member, as the~~] presiding officer from among its members [~~of the council to serve in that capacity at the pleasure of the governor~~].

Amendment No. 2 was adopted.

Amendment No. 3

Representative Gallego offered the following amendment to **CSHB 14**:

Amend **CSHB 14** (House Committee Printing) as follows:

(1) On page 16, line 7, strike "September 1, 2009," and substitute "January 1, 2008".

(2) On page 19, line 22, strike "September 1, 2009," and substitute "January 1, 2008".

Amendment No. 3 was adopted.

Amendment No. 4

Representative Alonzo offered the following amendment to **CSHB 14**:

Amend **CSHB 14** on page 17, between lines 20 and 21, by inserting the following:

Sec. 102.204. PREFERENCE FOR TEXAS BUSINESSES. If the Texas Public Finance Authority contracts with a private entity to issue the bonds under this subchapter, the Texas Public Finance Authority shall consider contracting with an entity that has its principal place of business in this state and shall include using a historically underutilized business as defined by Section 2161.001, Government Code.

Amendment No. 4 was adopted.

Amendment No. 5

Representative Swinford offered the following amendment to **CSHB 14**:

Amend **CSHB 14** (House Committee Printing) as follows:

(1) On page 19, line 25, strike "may" and substitute "shall".

(2) On page 19, line 26, through page 20, line 1, strike "The negotiation may include consideration of the grant recipient's financial contribution, if any, to the proposal."

(3) On page 20, between lines 25 and 26, insert the following:

"(d) Before the oversight committee may make any grant of any proceeds of the bonds issued under Subchapter E, the recipient of the grant must have an amount of funds equal to one-half of the grant dedicated to the research that is the subject of the grant request."

Amendment No. 5 was adopted.

Amendment No. 6

Representative Coleman offered the following amendment to **CSHB 14**:

Amend **CSHB 14** as follows:

(1) Amend Subchapter E, Chapter 102, Health and Safety Code, by inserting the following SECTION on line 1 of page 22, and renumbering subsequent sections of the subchapter as necessary:

"SECTION 102.259. HISTORICALLY UNDERUTILIZED BUSINESSES. The oversight committee shall establish standards to ensure that grant recipients purchase goods and services from historically underutilized businesses as defined by Chapter 2161 of the Government Code and any other applicable state law."

Amendment No. 6 was adopted.

CSHB 14, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: B. Brown, Harper-Brown, Phillips, and Zedler recorded voting no.)

CSHB 1795 ON SECOND READING
(by Veasey)

CSHB 1795, A bill to be entitled An Act relating to certain security technology at unmanned teller machines.

CSHB 1795 - POINT OF ORDER

Representative Miller raised a point of order against further consideration of **CSHB 1795** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

LEAVE OF ABSENCE GRANTED

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

Smithee on motion of Eiland.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Corrections meeting scheduled for tomorrow is cancelled.

CSHB 1795 - (consideration continued)

The speaker overruled the point of order.

CSHB 1795 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2043 ON SECOND READING
(by Phillips)

CSHB 2043, A bill to be entitled An Act relating to the inspection and certification of certain juvenile detention and correctional facilities.

CSHB 2043 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2149 ON SECOND READING
(by Bohac, et al.)

CSHB 2149, A bill to be entitled An Act relating to the authority of certain municipalities that elect the members of the municipal governing body wholly or partly from single-member districts.

Representative Bohac moved to postpone consideration of **CSHB 2149** until 10 a.m. Monday, May 28.

The motion prevailed.

CSHB 1370 ON SECOND READING
(by Coleman)

CSHB 1370, A bill to be entitled An Act relating to the Interagency Coordinating Council for HIV and Hepatitis.

CSHB 1370 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown, Hughes, and Phillips recorded voting no.)

CSHB 2399 ON SECOND READING
(by Delisi)

CSHB 2399, A bill to be entitled An Act relating to teacher retention demonstration projects under the awards for student achievement program in public schools.

CSHB 2399 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2646 ON SECOND READING
(by Rose)

HB 2646, A bill to be entitled An Act relating to the award of stipends to nationally certified classroom teachers under the educator excellence awards program.

HB 2646 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(C. Howard in the chair)

HB 2564 ON SECOND READING
(by Hancock)

HB 2564, A bill to be entitled An Act relating to the authority of a governmental body to require the payment of a charge before complying with certain requests for the production of public information or for copies of public information.

Amendment No. 1

Representative Burnam offered the following amendment to **HB 2564**:

Amend **HB 2564** (Committee printing), on page 3, between lines 25 and 26), by inserting the following:

(j) This section does not apply if:

(1) The requestor is a faculty member of an accredited institution of higher education or a teacher at an accredited public or private elementary or secondary school and asserts that the public information is requested for academic purposes; or

(2) the requestor is a student at an accredited institution of higher education or an accredited public or private elementary or secondary school and provides a letter or other writing from a faculty member at the institution or teacher at the school stating that the public information is requested by the student for academic purposes.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Burnam offered the following amendment to **HB 2564**:

Amend **HB 2564** (Committee printing), on page 3, between lines 25 and 26), by inserting the following:

(j) This section does not apply if the requestor is a representative of:

(1) a radio or television station that holds a license issued by the Federal Communications Commission; or

(2) a newspaper that is qualified under Section 2051.044, Government Code, to publish legal notices or is a free newspaper of general circulation and that is published at least once a week and available and of interest to the general public in connection with the dissemination of news.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Burnam offered the following amendment to **HB 2564**:

Amend **HB 2564** (Committee printing), on page 3, between lines 25 and 26. by inserting the following:

(j) this section does not apply if the requestor is an elected official of the United States, this state, or a political subdivision of this state.

Amendment No. 3 was adopted.

HB 2564, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Herrero and Leibowitz recorded voting no.)

HB 2644 ON SECOND READING (by Rose)

HB 2644, A bill to be entitled An Act relating to the requirements for a massage therapist license.

HB 2644 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Phillips recorded voting no.)

HB 2498 ON SECOND READING

(by Gonzalez Toureilles, Kolkhorst, Hodge, and Escobar)

HB 2498, A bill to be entitled An Act relating to hazardous duty pay for correctional officers employed by the Texas Department of Criminal Justice.

HB 2498 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2256 ON SECOND READING

(by McReynolds)

CSHB 2256, A bill to be entitled An Act relating to the requirements for uniform fair hearing rules for Medicaid services, including services that require prior authorization.

CSHB 2256 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2701 ON SECOND READING

(by Flores)

HB 2701, A bill to be entitled An Act relating to the regulation of horse and dog racing.

HB 2701 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Flynn, Harper-Brown, and Phillips recorded voting no.)

CSHB 1815 ON SECOND READING

(by Isett, Hopson, Macias, et al.)

CSHB 1815, A bill to be entitled An Act relating to the prosecution of certain offenses that involve carrying weapons on a person's property or in a person's vehicle.

CSHB 1815 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **CSHB 1815** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

(Kolkhorst now present)

CSHB 1815 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Murphy in the chair)

CSHB 3184 ON SECOND READING
(by Coleman)

CSHB 3184, A bill to be entitled An Act relating to educating parents about the benefits of immunizing certain children against influenza.

CSHB 3184 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown and Phillips recorded voting no.)

CSHB 2207 ON SECOND READING
(by Gallego, Solomons, Straus, and Giddings)

CSHB 2207, A bill to be entitled An Act relating to the conveyance of certain residential real property encumbered by a lien.

CSHB 2207 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Phillips recorded voting no.)

CSHB 3584 ON SECOND READING
(by Peña)

CSHB 3584, A bill to be entitled An Act relating to the creation of the offense of organized retail theft.

CSHB 3584 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Gattis now present)

CSHB 1960 ON SECOND READING
(by Ortiz and Madden)

CSHB 1960, A bill to be entitled An Act relating to access to records or files concerning a child who is subject to the juvenile justice system.

Amendment No. 1

Representative Gattis offered the following amendment to **CSHB 1960**:

Amend **CSHB 1960** on page 1, by striking lines 13 - 17 and substituting the following:

(j) Before a child or a child's parent or guardian may inspect or copy a record or file concerning the child under Subsection (e), the custodian of the record or file shall redact:

(1) any reference in the record or file to a suspect, offender, victim, or witness who is not the child; and

(2) any information that is excepted from required disclosure under Chapter 552, Government Code, or other law.

SECTION 2. This Act takes effect September 1, 2007.

Amendment No. 1 was adopted.

CSHB 1960, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 2908 ON SECOND READING

(by Gattis)

CSHB 2908, A bill to be entitled An Act relating to the impoundment of a motor vehicle if operated without financial responsibility or a driver's license.

CSHB 2908 - POINT OF ORDER

Representative Alonzo raised a point of order against further consideration of **CSHB 2908** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The chair sustained the point of order.

CSHB 2908 was returned to the Committee on Transportation.

CSHB 2667 ON SECOND READING

(by Latham)

CSHB 2667, A bill to be entitled An Act relating to certain insurance-related matters involving rural volunteer firefighters, volunteer police force members, or emergency services districts.

CSHB 2667 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock recorded voting no.)

POSTPONED BUSINESS

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

SB 453 ON SECOND READING

(Y. Davis and Coleman - House Sponsors)

SB 453, A bill to be entitled An Act relating to the testing of certain inmates for HIV or AIDS.

SB 453 was considered in lieu of **HB 1276**.

SB 453 was read second time.

Amendment No. 1

Representative Miles offered the following amendment to **SB 453**:

Amend **SB 453** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Chapter 85, Health and Safety Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. HIV PREVENTION MEDIA CAMPAIGN

Sec. 85.161. GRANTS FOR MEDIA CAMPAIGN. The Department of State Health Services, out of funds appropriated by the legislature, shall award grants in an amount equal to at least one percent of the total funds appropriated to the department for acquired immune deficiency syndrome (AIDS) or human immunodeficiency virus (HIV) related programs to local contractors to implement a highly visible media campaign encouraging individuals, as part of a routine physical examination, to undergo a medical procedure or test designed to show whether the individual has acquired immune deficiency syndrome or human immunodeficiency virus. For the purposes of this section, a highly visible media campaign includes the use of billboards, newspaper and magazine advertisements, and signs on commercial motor vehicles and motor vehicles used for public transportation.

Amendment No. 1 - Point of Order

Representative Taylor raised a point of order against further consideration of Amendment No. 1 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. 1.

SB 453 was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown recorded voting no.)

HB 1276 - LAID ON THE TABLE SUBJECT TO CALL

Representative Y. Davis moved to lay **HB 1276** on the table subject to call.

The motion prevailed.

GENERAL STATE CALENDAR
(consideration continued)

HB 2909 ON SECOND READING
(by Gattis)

HB 2909, A bill to be entitled An Act relating to the authority of the governing body of a taxing unit to elect not to impose or collect taxes on real property erroneously omitted from the appraisal roll or tax roll in a previous year.

Amendment No. 1

Representative Dunnam offered the following amendment to **HB 2909**:

Amend **HB 2909** on page 1, line 8, between "property" and "was", insert " , other than land used as for-profit multi-family housing,"

Amendment No. 1 was adopted.

HB 2909, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Swinford recorded voting no.)

CSHB 3171 ON SECOND READING
(by Swinford)

CSHB 3171, A bill to be entitled An Act relating to the development by the Texas Education Agency of a list of resources concerning Internet safety for use by school districts.

CSHB 3171 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 3268 ON SECOND READING
(by Eiland)

HB 3268, A bill to be entitled An Act relating to the authority of voters of certain municipalities to extend or change the purposes of a sales and use tax for certain economic development corporations.

HB 3268 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Aycock recorded voting no.)

CSHB 3521 ON SECOND READING
(by Bolton, et al.)

CSHB 3521, A bill to be entitled An Act relating to measures to increase the safety of children committed to the Texas Youth Commission.

CSHB 3521 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3298 ON SECOND READING
(by Callegari and Flynn)

CSHB 3298, A bill to be entitled An Act relating to exempting municipalities and special districts from certain unfunded state mandates.

Amendment No. 1

Representative Puente offered the following amendment to **CSHB 3298**:

Amend **CSHB 3298** by striking SECTION 2 of the bill and by renumbering the existing SECTIONS as appropriate.

Amendment No. 1 was adopted.

CSHB 3298 - POINT OF ORDER

Representative Herrero raised a point of order against further consideration of **CSHB 3298** under Rule 8, Section 3 of the House Rules and Article III, Section 35 at the Texas Constitution on the grounds that the bill violates the one subject rule.

The chair overruled the point of order.

CSHB 3298, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 3647 ON SECOND READING
(by Kolkhorst)**

CSHB 3647, A bill to be entitled An Act relating to a study by the attorney general of the effects on state law and authority of certain international and other agreements and bodies.

CSHB 3647 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 3659 ON SECOND READING
(by Dunnam)**

HB 3659, A bill to be entitled An Act relating to the disclosure of the name of a student or minor who is involved in an improper relationship with an educator.

HB 3659 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**CSHB 3845 ON SECOND READING
(by Hilderbran)**

CSHB 3845, A bill to be entitled An Act relating to the possession, custody, or control of a cougar, bobcat, or coyote.

Amendment No. 1

Representative Hilderbran offered the following amendment to **CSHB 3845**:

Amend **CSHB 3845** on page 1 line 22 by adding the word "temporarily" between the words "for" and "by."

Amendment No. 1 was adopted.

Amendment No. 2

Representative Hilderbran offered the following amendment to **CSHB 3845**:

If a rabies quarantine is in effect at any time for a cougar, bobcat, or coyote, this Act will not apply to the animal under quarantine, for the duration of the quarantine.

Amendment No. 2 was adopted.

(B. Cook in the chair)

CSHB 3845, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2034 ON SECOND READING **(by England)**

HB 2034, A bill to be entitled An Act relating to the regulation of sex offender treatment providers.

Amendment No. 1

Representative England offered the following amendment to **HB 2034**:

Amend **HB 2034** as follows:

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

SECTION _____. Section 110.301, Occupations Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(2) On page 2, between lines 11 and 12, insert the following:

(c) This section does not apply to a physician whose treatment of a sex offender is limited to prescribing medication to the sex offender.

(3) Add the following appropriately numbered section and renumber the sections of the bill accordingly:

SECTION _____. Section 110.158, Occupations Code, is amended to read as follows:

Sec. 110.158. RULEMAKING. (a) The council may adopt rules consistent with this chapter. In adopting rules, the council shall:

(1) consider the rules and procedures of the board and the department;
and

(2) adopt procedural rules consistent with similar existing rules and procedures of the board or the department.

(b) A sex offender treatment provider licensed under this chapter is subject to the rules of the council, in relation to the person's provision of sex offender treatment, rather than the rules of the licensing entity by which the provider is licensed or otherwise regulated.

Amendment No. 1 was adopted.

HB 2034, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3487 ON SECOND READING

(by S. King)

CSHB 3487, A bill to be entitled An Act relating to staff development requirements concerning the instruction of students with disabilities in public schools.

Amendment No. 1

Representative Hochberg offered the following amendment to **CSHB 3487**:

Amend **CSHB 3487** as follows:

(1) Immediately following SECTION 1 of the bill (page 2, between lines 13 and 14), insert the following appropriately numbered SECTIONS and renumber the subsequent SECTIONS accordingly:

SECTION _____. Section 29.001, Education Code, is amended to read as follows:

Sec. 29.001. STATEWIDE PLAN. (a) The agency shall develop, and modify as necessary, a statewide design, consistent with federal law, for the delivery of services to children with disabilities in this state that includes rules for the administration and funding of the special education program so that a free appropriate public education is available to all of those children between the ages of three and 21. The statewide design shall include the provision of services primarily through school districts and shared services arrangements, supplemented by regional education service centers. The agency shall also develop and implement a statewide plan with programmatic content that includes procedures designed to:

(1) ensure state compliance with requirements for supplemental federal funding for all state-administered programs involving the delivery of instructional or related services to students with disabilities;

(2) facilitate interagency coordination when other state agencies are involved in the delivery of instructional or related services to students with disabilities;

(3) periodically assess statewide personnel needs in all areas of specialization related to special education and pursue strategies to meet those needs through a consortium of representatives from regional education service centers, local education agencies, and institutions of higher education and through other available alternatives;

(4) ensure that regional education service centers throughout the state maintain a regional support function, which may include direct service delivery and a component designed to facilitate the placement of students with disabilities who cannot be appropriately served in their resident districts;

(5) allow the agency to effectively monitor and periodically conduct site visits of all school districts to ensure that rules adopted under this section are applied in a consistent and uniform manner, to ensure that districts are complying with those rules, and to ensure that annual statistical reports filed by the districts and not otherwise available through the Public Education Information Management System under Section 42.006, are accurate and complete;

(6) ensure that appropriately trained personnel are involved in the diagnostic and evaluative procedures operating in all districts and that those personnel routinely serve on district admissions, review, and dismissal committees;

(7) ensure that an individualized education program for each student with a disability is properly developed, implemented, and maintained in the least restrictive environment that is appropriate to meet the student's educational needs;

(8) ensure that, when appropriate, each student with a disability is provided an opportunity to participate in career and technology and physical education classes, in addition to participating in regular or special classes;

(9) ensure that each student with a disability is provided necessary related services; ~~and~~

(10) ensure that an individual assigned to act as a surrogate parent for a child with a disability, as provided by 20 U.S.C. Section 1415(b) ~~[and its subsequent amendments]~~, is required to:

(A) complete a training program that complies with minimum standards established by agency rule;

(B) visit the child and the child's school;

(C) consult with persons involved in the child's education, including teachers, caseworkers, court-appointed volunteers, guardians ad litem, attorneys ad litem, foster parents, and caretakers;

(D) review the child's educational records;

(E) attend meetings of the child's admission, review, and dismissal committee;

(F) exercise independent judgment in pursuing the child's interests; and

(G) exercise the child's due process rights under applicable state and federal law;

(11) ensure that a school district provides to a teacher who instructs a student with a disability in a regular classroom setting:

(A) on the request of the teacher and as soon as practicable, training in providing appropriate educational services to a student with a disability, including training in research-based best practices for meeting the academic and behavioral needs of a student with a disability assigned to the teacher's classroom;

(B) on the request of the teacher and as soon as practicable, assistance from appropriately trained personnel, as determined by the district, in meeting the academic and behavioral needs of a student with a disability assigned to the teacher's classroom;

(C) before the placement of a student with a disability in the teacher's classroom, relevant information in the student's individualized education program.

(2) Immediately following SECTION 1 of the bill (page 2, between lines 14 and 15), insert the following appropriately numbered SECTION and renumber the subsequent SECTIONS accordingly:

SECTION _____. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.459 to read as follows:

Sec. 21.459. RESOURCES FOR TEACHERS OF STUDENTS WITH SPECIAL HEALTH NEEDS. The agency, in coordination with the Health and Human Services Commission, shall establish and maintain an Internet website to provide resources for teachers who teach students with special health needs. The agency shall include on the website information about the treatment and management of chronic illnesses and how such illnesses impact a student's well-being or ability to succeed in school.

Amendment No. 1 was adopted.

CSHB 3487, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown recorded voting no.)

CSHB 408 ON SECOND READING

(by Eissler)

CSHB 408, A bill to be entitled An Act relating to the regulation of barking dogs by certain counties as a nuisance.

Amendment No. 1

Representative Bailey offered the following amendment to **CSHB 408**:

Amend **CSHB 408** (House Committee Printing) on page 1 by striking lines 10-17 and substituting the following:

(1) that has a population of 3.3 million or more; or

(2) that is adjacent to a county with a population of 3.3 million or more and in which a planned community is located that:

(A) has 20,000 or more acres of land;

(B) was originally established under the Urban Growth and New Community Development Act of 1970 (42 U.S.C. Section 4501 et seq.); and

(C) is subject to restrictive covenants containing ad valorem or annual variable budget based assessments on real property.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Strama offered the following amendment to **CSHB 408**:

Amend **CSHB 408** as follows:

(1) On page 1, line 7, strike "RESIDENTIAL".

(2) On page 1, strike lines 10 and 11 and substitute the following:

- (1) with a population of 800,000 or more; or
(3) On page 1, line 15, strike "and".
(4) On page 1, line 17, between "property" and the period, insert ", and that is adjacent to a county with a population of 3.3 million or more".
(5) On page 1, lines 19 and 20, strike "on premises in a neighborhood".
(6) On page 1, line 21, between "objectionable" and the period, insert ", except that in a county described by Subsection (a)(2), the noise is a public nuisance only if made on premises in a neighborhood".

Amendment No. 2 was adopted.

CSHB 408, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown and Laubenberg recorded voting no.)

CSHB 430 ON SECOND READING
(by Madden, et al.)

CSHB 430, A bill to be entitled An Act relating to the monitoring of certain high-risk sex offenders.

Amendment No. 1

Representative Madden offered the following amendment to **CSHB 430**:

Amend **CSHB 430** on page 5, Section 4 by adding the following subsections:

(c) The Department of Public Safety shall issue a Request for Qualifications or Proposal no later than September 15, 2007. The selection process must include a side-by-side comparison testing the products submitted in the RFQ/P. In awarding a contract, the test results, product reliability, functionality and public safety must be given at a minimum, equal consideration to cost.

(d) The Department of Public Safety may only receive responses from and contract with a Original Equipment Manufacturer.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Bohac offered the following amendment to **CSHB 430**:

CSHB 430 (House Committee Printing) is amended by adding SECTION 4 to read as follows:

Subchapter A, Chapter 62, Code of Criminal Procedure, is amended by adding Article 62.0052 to read as follows:

Art. 62.0052. ELECTRONIC MAIL REPORTS FOR STATE LEGISLATORS. (a) The department shall maintain an electronic mail report service to which a member of the house of representatives or the senate of this state may electronically subscribe.

(b) The electronic mail report service maintained under Subsection (a) must:

(1) allow a subscribing representative or senator to request for each zip code any portion of which is located in the representative's or senator's district notification of:

(A) the release from a penal institution or placement on deferred adjudication community supervision, community supervision, or juvenile probation of a person who expects to reside or resides in that zip code and is required to register under this chapter; and

(B) any change in address of a person who expects to reside or resides in that zip code and is required to register under this chapter; and

(2) not less frequently than monthly, deliver to the subscribing representative or senator a report containing the information described by Subdivision (1).

(c) The department must include any public information described by Article 62.005 in a electronic mail report sent to a subscribing representative or senator.

Amendment No. 2 was adopted.

CSHB 430, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 525 ON SECOND READING
(by Goolsby, England, Alonzo, et al.)

HB 525, A bill to be entitled An Act relating to birth records of adopted children.

Amendment No. 1

Representative Goolsby offered the following amendment to **HB 525**:

Amend **HB 525** on page 5, line 13 by striking "2007" inserting "2008."

Amendment No. 1 was adopted.

Amendment No. 2

Representative Puente offered the following amendment to **HB 525**:

Amend **HB 525** on page 5, by striking lines 14 through 16 and substituting the following:

SECTION 5. The change in law made by this Act regarding access to birth certificate information applies only to an adoption order rendered on or after the effective date of this Act. An adoption order rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

Amendment No. 2 was adopted.

HB 525, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

SB 63 ON SECOND READING
(Escobar and Guillen - House Sponsors)

SB 63, A bill to be entitled An Act relating to the powers of the commissioners court of certain counties that have no incorporated municipality.

SB 63 was considered in lieu of **HB 591**.

Amendment No. 1

Representative Guillen offered the following amendment to **SB 63**:

Amend **SB 63** (House Committee Printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 231, Local Government Code, is amended by adding Subchapter L to read as follows:

SUBCHAPTER L. ZONING AROUND FALCON LAKE

Sec. 231.251. LEGISLATIVE FINDINGS; PURPOSE. (a) The legislature finds that:

(1) the area that surrounds Falcon Lake in Zapata County is frequented for recreational purposes by residents from every part of the state;

(2) orderly development and use of the area is of concern to the entire state; and

(3) buildings in the area that are frequented for resort or recreational purposes tend to become congested and to be used in ways that interfere with the proper use of the area as a place of recreation to the detriment of the public health, safety, morals, and general welfare.

(b) The powers granted under this subchapter are for the purpose of promoting the public health, safety, peace, morals, and general welfare and encouraging the recreational use of county land.

Sec. 231.252. AREAS SUBJECT TO REGULATION. This subchapter applies only to the unincorporated area of Zapata County located within 25,000 feet of:

(1) the project boundary line for Falcon Lake; and

(2) the Rio Grande river.

Sec. 231.253. FALCON LAKE PLANNING COMMISSION. (a) A lake planning commission is established for the area subject to this subchapter. The commission is comprised of:

(1) four residents of Zapata County, with one resident from each of the county commissioner precincts, appointed by that precinct's commissioner; and

(2) a person, who shall serve as the commission's presiding officer, appointed by the county judge of Zapata County.

(b) Except as provided by Subsection (c), the members of the commission shall be appointed for two year terms that expire February 1 of each odd-numbered year.

(c) The terms of the initial members of the commission expire on February 1st of the first February in an odd-numbered year following their appointment.

(d) The commissioners court of Zapata County may employ staff for the commission to use in performing the commission's functions.

Sec. 231.254. COMMISSION STUDY & REPORT; HEARING. (a) At the request of the commissioners court of Zapata County, the commission shall, or on the lake planning commission's own initiative, the commission may, conduct studies of the area subject to this subchapter and prepare reports to advise the commissioner's court about matters affecting that area, including any need for zoning regulations in that area.

(b) Before the commission may prepare a report, the commission must hold a public hearing in which members of the public may offer testimony regarding any subject to be included in the commission's report. The commission shall provide notice of the hearing as required by the commissioner's court.

Sec. 231.255. ZONING REGULATIONS. After receiving a report from the lake planning commission under Section 231.254, the commissioner's court of Zapata County may adopt zoning regulations for the area subject to this subchapter and in accordance with the report that regulate:

(1) the height, number of stories, and size of buildings and other structures;

(2) the percentage of a lot that may be occupied;

(3) the size of yards, courts, and other open spaces;

(4) population density;

(5) the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

(6) the placement of water and sewage facilities, parks, and other public requirements.

Sec. 231.256. DISTRICTS. (a) The commissioners court may divide the area in the county that is subject to this subchapter into districts of a number, shape, and size the court considers best for carrying out this subchapter. Within each district, the commissioners court may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.

(b) The zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district. The regulations shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the area.

Sec. 231.257. ENFORCEMENT; PENALTY; REMEDIES. (a) The commissioners court may adopt orders to enforce this subchapter, any order adopted under this subchapter, or a zoning regulation.

(b) A person commits an offense if the person violates this subchapter, an order adopted under this subchapter, or a zoning regulation. An offense under this subsection is a misdemeanor, punishable by fine, imprisonment, or both, as provided by the commissioners court. The commissioners court may also provide civil penalties for a violation.

(c) If a building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or if a building, other structure, or land is used in violation of this subchapter, an order adopted under this subchapter, or a zoning regulation, the appropriate county authority, in addition to other remedies, may institute appropriate action to:

- (1) prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use;
- (2) restrain, correct, or abate the violation;
- (3) prevent the occupancy of the building, structure, or land; or
- (4) prevent any illegal act, conduct, business, or use on or about the premises.

Amendment No. 1 was adopted.

SB 63, as amended, was passed to third reading. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 591 - LAID ON THE TABLE SUBJECT TO CALL

Representative Escobar moved to lay **HB 591** on the table subject to call.

The motion prevailed.

CSHB 2884 ON SECOND READING (by Dutton)

CSHB 2884, A bill to be entitled An Act relating to juvenile delinquency; providing penalties.

Amendment No. 1

On behalf of Representative Dutton, Representative Guillen offered the following amendment to **CSHB 2884**:

Amend **CSHB 2884** as follows:

- (1) Strike from page 33, line 5, through page 34, line 16.
- (2) Strike from page 40, line 19, through page 41, line 9.
- (3) Renumber the SECTIONS of the bill appropriately.

Amendment No. 1 was adopted.

CSHB 2884, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 1606 ON SECOND READING (by Zedler)

CSHB 1606, A bill to be entitled An Act relating to the exemption from ad valorem taxation for property owned by a religious organization for purposes of expanding a religious facility or constructing a new religious facility.

CSHB 1606 - POINT OF ORDER

Representative Gallego raised a point of order against further consideration of **CSHB 1606** under Rule 4, Section 32 of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Zedler moved to postpone consideration of **CSHB 1606** until 11:15 p.m. today.

The motion prevailed.

HB 2723 ON SECOND READING
(by Thompson)

HB 2723, A bill to be entitled An Act relating to the sampling of malt beverages on the premises of certain manufacturers and retailers.

HB 2723 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Phillips recorded voting no.)

CSHB 1168 ON SECOND READING
(by Menendez, McClendon, Kolkhorst, Pickett, Veasey, et al.)
RULES SUSPENDED

Representative Harper-Brown moved to suspend all necessary rules to take up and consider at this time **CSHB 1168**.

The motion prevailed.

The chair laid before the house, on its second reading and passage to engrossment,

CSHB 1168, A bill to be entitled An Act relating to licensing and regulation of certain facilities providing personal care to elderly or disabled persons; providing penalties.

Amendment No. 1

Representative Menendez offered the following amendment to **CSHB 1168**:

Amend **CSHB 1168** (House committee printing) on page 3, Section 254.004 by adding:

(d) The department and the Department of State Health Services shall enter into a Memorandum of Understanding with the Texas Department of Housing and Community Affairs to coordinate housing resources for persons who may be displaced as a result of actions taken under Subchapters C and D of this bill.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Pickett offered the following amendment to **CSHB 1168**:

Amend **CSHB 1168** (house committee printing) as follows:

(1) On page 21, strike line 18 and substitute the following:

Sec. 254.067. COUNTY OR MUNICIPAL ENFORCEMENT. The governing body of a county by resolution or a municipality by ordinance may:

(1) prohibit a person who does not hold a license issued under this chapter from establishing or operating a facility within the county or municipality; and

(2) establish a procedure for emergency closure of a facility in circumstances in which:

(A) the facility is established or operating in violation of Section 254.031; and

(B) the continued operation of the facility creates an immediate threat to the health and safety of a resident of the facility.

[Sections 254.068-254.090 reserved for expansion]

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS accordingly:

SECTION _____. Section 247.031, Health and Safety Code, is amended to read as follows:

Sec. 247.031. COUNTY OR MUNICIPAL ENFORCEMENT. The governing body of a county by resolution or a municipality by ordinance may:

(1) prohibit a person who does not hold a license issued under this chapter from establishing or operating an assisted living facility within the county or municipality; and

(2) establish a procedure for emergency closure of a facility in circumstances in which:

(A) the facility is established or operating in violation of Section 247.021; and

(B) the continued operation of the facility creates an immediate threat to the health and safety of a resident of the facility.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Pickett offered the following amendment to **CSHB 1168**:

Amend **CSHB 1168** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. (a) Subchapter B, Chapter 247, Health and Safety Code, is amended by adding Section 247.033 to read as follows:

Sec. 247.033. LISTING OF CERTAIN SMALL FACILITIES. (a) The executive commissioner of the Health and Human Services Commission by rule shall establish a system for listing each facility that:

(1) furnishes food, shelter, and personal care services to three or fewer people who are unrelated to the proprietor of the facility; and

(2) provides regular care to the residents of the facility.

(b) A facility described by Subsection (a) shall list with the department. A listing remains valid until surrendered.

(c) The department shall provide to a listed facility a copy of the listing. A listing must contain a provision that states: "THIS FACILITY IS NOT AN ASSISTED LIVING FACILITY. IT IS NOT LICENSED OR REGISTERED WITH THE DEPARTMENT OF AGING AND DISABILITY SERVICES. IT HAS NOT BEEN INSPECTED AND WILL NOT BE INSPECTED." The operator of a listed facility is not required to display the listing at the home but shall make the listing available for examination.

(d) The department shall issue a listing to a facility under this section in both English and Spanish when the most recent federal census shows that more than one-half of the population in a municipality or in a commissioners precinct in a county in which the facility is located is of Hispanic origin or Spanish-speaking.

(e) A facility required to list with the department under this section is not otherwise subject to the standards, requirements, or penalties of this chapter.

(b) Not later than January 1, 2008, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Section 247.033, Health and Safety Code, as added by this section.

(c) Notwithstanding Section 247.033, Health and Safety Code, as added by this section, a facility is not required to list with the Department of Aging and Disability Services before March 1, 2008.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Veasey offered the following amendment to **CSHB 1168**:

Amend **CSHB 1168** (House committee printing) on page 14, line 9, by striking "[Sections 254.046-254.060 reserved for expansion]" and substituting the following:

Sec. 254.046. CERTAIN RESIDENTS PROHIBITED. To ensure the safety of residents of facilities licensed under this chapter, a person operating a facility licensed under this chapter may not allow an individual required to register under Chapter 62, Code of Criminal Procedure, to reside in the facility.

[Sections 254.047-254.060 reserved for expansion]

Amendment No. 4 was adopted.

CSHB 1168, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2561 ON SECOND READING

(by Puente)

HB 2561, A bill to be entitled An Act relating to the authority of a water and sewer utility to acquire property by eminent domain.

HB 2561 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 744 ON SECOND READING

(by Dutton)

CSHB 744, A bill to be entitled An Act relating to notice of discharge of a lien on a motor vehicle.

CSHB 744 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1432 ON SECOND READING

(by Giddings)

HB 1432, A bill to be entitled An Act relating to the assignment of a public school student to an inexperienced or uncertified teacher.

Amendment No. 1

Representative Giddings offered the following amendment to **HB 1432**:

Amend **HB 1432** on page 1, lines 12 and 18, and on page 3, line 14, by striking "or" each place it appears and substituting "and".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Giddings offered the following amendment to **HB 1432**:

Amend **HB 1432** as follows:

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

(e) The commissioner may grant a waiver from the requirements of this section to a school district if the commissioner finds that extreme circumstances in the district warrant the waiver. The commissioner may adopt rules as necessary to implement this section.

(2) On page 3, line 14, between "28.0216" and the period, insert ", except as otherwise authorized under that section".

Amendment No. 2 was adopted.

HB 1432, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Anderson, Bohac, Harper-Brown, Madden, McCall, and Taylor recorded voting no.)

HB 774 ON SECOND READING
(by Dutton)

HB 774, A bill to be entitled An Act relating to child support obligations of certain nonbiological fathers and rights of inheritance of those fathers and their nonbiological children.

Representative Dutton moved to postpone consideration of **HB 774** until 10 a.m. tomorrow.

The motion prevailed.

CSHB 1121 ON SECOND READING
(by Anchia, Peña, and Riddle)

CSHB 1121, A bill to be entitled An Act relating to judicial findings regarding victims of trafficking or other abuse.

Amendment No. 1

Representative Anchia offered the following amendment to **CSHB 1121**:

Amend **CSHB 1121** (House Committee Printing) as follows:

(1) Strike page 1, line 20, through page 2, line 3, and substitute:

(b) That part of the papers in the case containing an affirmative finding under this article:

(1) must include specific information identifying the victim, as available;

(2) may not include information identifying the victim's location; and

(3) is confidential, unless written consent for the release of the affirmative finding is obtained from the victim or, if the victim is younger than 18 years of age, the victim's parent or guardian.

(2) Strike page 2, lines 20 through 27, and substitute:

(j) That part of the papers in the case containing an affirmative finding under Subsection (i):

(1) must include specific information identifying the victim, as available;

(2) may not include information identifying the victim's location; and

(3) is confidential, unless written consent for the release of the affirmative finding is obtained from the victim or, if the victim is younger than 18 years of age, the victim's parent or guardian.

(3) Strike page 3, lines 16 through 23, and substitute:

(w) That part of the papers in the case containing an affirmative finding under Subsection (v):

(1) must include specific information identifying the victim, as available;

(2) may not include information identifying the victim's location; and

(3) is confidential, unless written consent for the release of the affirmative finding is obtained from the victim or, if the victim is younger than 18 years of age, the victim's parent or guardian.

Amendment No. 1 was adopted.

CSHB 1121, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Flynn recorded voting no.)

CSHB 1205 ON SECOND READING
(by Keffer, Gonzalez Toureilles, et al.)

CSHB 1205, A bill to be entitled An Act relating to the prohibition of certain employment discrimination regarding an employee who is a volunteer emergency responder.

Amendment No. 1

Representative Keffer offered the following amendment to **CSHB 1205**:

Amend **CSHB 1205**, committee report printing, as follows:

(1) On page 3, between lines 10 and 11, insert the following:

Sec. 23.004. EXCEPTION FOR CERTAIN CRITICAL EMPLOYEES. (a)

In this section, "critical employee" means an individual:

(1) employed as a peace officer, firefighter, emergency medical services personnel member, or dispatcher for law enforcement, firefighters, or emergency medical services personnel; or

(2) whose presence is required in order to continue the essential functions of the employer, the absence of which could cause substantial and grievous economic injury, severely compromise the ability of the employer to accomplish mission critical functions, or jeopardize the safety and well-being of others.

(b) Except as provided by Subsection (c), this chapter does not apply to an employee who is a critical employee of the employee's employer.

(c) An employer may permit a critical employee to provide services as a volunteer emergency responder. An employer who elects under this subsection to permit a critical employee to provide services as a volunteer emergency responder is subject to this chapter.

(2) On page 3, line 11, strike "Sec. 23.004" and substitute "Sec. 23.005".

(3) On page 4, line 1, strike "Sec. 23.005" and substitute "Sec. 23.006".

(4) On page 4, line 13, strike "Sec. 23.006" and substitute "Sec. 23.007".

(5) On page 4, line 23, strike "Sec. 23.007" and substitute "Sec. 23.008".

Amendment No. 1 was adopted.

A record vote was requested.

CSHB 1205, as amended, was passed to engrossment by (Record 1251): 113 Yeas, 20 Nays, 2 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycock; Bailey; Bolton; Bonnen; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Cohen; Coleman; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Frost; Gallego; Garcia; Giddings; Gonzales; Goolsby; Guillen; Haggerty; Hamilton; Hardcastle; Harless; Hartnett; Heflin;

Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; King, P.; King, T.; Krusee; Kuempel; Leibowitz; Lucio; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Miller; Morrison; Murphy; Naishtat; Noriega; O'Day; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Peña; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Ritter; Rodriguez; Rose; Smith, T.; Solomons; Strama; Straus; Swinford; Taylor; Thompson; Turner; Vaught; Veasey; Villarreal; Vo; West; Zerwas.

Nays — Berman; Bohac; Branch; Eissler; Flynn; Geren; Hancock; Harper-Brown; Kolkhorst; Latham; Laubenberg; Macias; Madden; Parker; Paxton; Riddle; Talton; Truitt; Woolley; Zedler.

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

Absent, Excused — Moreno; Smithee.

Absent — Alonzo; Christian; Davis, Y.; Gattis; Gonzalez Toureilles; Howard, C.; Keffer; King, S.; Merritt; Mowery; Phillips; Smith, W.; Van Arsdale.

STATEMENT OF VOTE

I was shown voting yes on Record No. 1251. I intended to vote no.

B. Brown

CSHB 1385 ON SECOND READING (by Villarreal, et al.)

CSHB 1385, A bill to be entitled An Act relating to the regulation of certain employer-based day-care facilities.

Amendment No. 1

Representative Villarreal offered the following amendment to **CSHB 1385**:

Amend **CSHB 1385** (House Committee Printing) on page 8 by striking lines 2 through 8.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Swinford offered the following amendment to **CSHB 1385**:

Amend **CSHB 1385** (House Committee Printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 42.041, Human Resources Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) This section does not apply to:

- (1) a state-operated facility;
- (2) an agency foster home or agency foster group home;
- (3) a facility that is operated in connection with a shopping center, business, religious organization, or establishment where children are cared for during short periods while parents or persons responsible for the children are

attending religious services, shopping, or engaging in other activities on or near the premises, including but not limited to retreats or classes for religious instruction;

(4) a school or class for religious instruction that does not last longer than two weeks and is conducted by a religious organization during the summer months;

(5) a youth camp licensed by the ~~[Texas]~~ Department of State Health Services;

(6) a facility licensed, operated, certified, or registered by another state agency;

(7) subject to Subsection (b-1), an educational facility that is accredited by the Texas Education Agency, ~~[or]~~ the Southern Association of Colleges and Schools, or an accreditation body that is a member of the Texas Private School Accreditation Commission and that operates primarily for educational purposes in grades kindergarten and above, an after-school program operated directly by an accredited educational facility, or an after-school program operated by another entity under contract with the educational facility, if the Texas Education Agency, the ~~[or]~~ Southern Association of Colleges and Schools, or the other accreditation body, as applicable, has approved the curriculum content of the after-school program operated under the contract;

(8) an educational facility that operates solely for educational purposes in grades kindergarten through at least grade two, that does not provide custodial care for more than one hour during the hours before or after the customary school day, and that is a member of an organization that promulgates, publishes, and requires compliance with health, safety, fire, and sanitation standards equal to standards required by state, municipal, and county codes;

(9) a kindergarten or preschool educational program that is operated as part of a public school or a private school accredited by the Texas Education Agency, that offers educational programs through grade six, and that does not provide custodial care during the hours before or after the customary school day;

(10) a family home, whether registered or listed;

(11) subject to Subsection (b-1), an educational facility that is integral to and inseparable from its sponsoring religious organization or an educational facility both of which do not provide custodial care for more than two hours maximum per day, and that offers educational programs for children age four ~~[five]~~ and above in one or more of the following: preschool, kindergarten through at least grade three, elementary, or secondary grades;

(12) an emergency shelter facility providing shelter to minor mothers who are the sole support of their natural children under Section 32.201, Family Code, unless the facility would otherwise require a license as a child-care facility under this section;

(13) a juvenile detention facility certified under Section 51.12, Family Code, or Section 141.042(d), a juvenile facility providing services solely for the Texas Youth Commission, or any other correctional facility for children operated or regulated by another state agency or by a political subdivision of the state;

(14) an elementary-age (ages 5-13) recreation program operated by a municipality provided the governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs, that such standards are provided to the parents of each program participant, and that the ordinances shall include, at a minimum, staffing ratios, minimum staff qualifications, minimum facility, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and further provided that parents be informed that the program is not licensed by the state and the program may not be advertised as a child-care facility; or

(15) an annual youth camp held in a municipality with a population of more than 1.5 million that operates for not more than three months and that has been operated for at least 10 years by a nonprofit organization that provides care for the homeless.

(b-1) The following exemptions apply only to an educational facility that operates in a county that has a population of less than 25,000:

(1) the exemption provided under Subsection (b)(7) to a facility accredited by an accreditation body that is a member of the Texas Private School Accreditation Commission, an after-school program operated directly by the accredited educational facility, or an after-school program operated by another entity under contract with the accredited educational facility; and

(2) the exemption provided under Subsection (b)(11) to a facility that offers educational programs for children who are four years of age.

Amendment No. 2 was adopted.

CSHB 1385, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Flynn recorded voting no.)

CSHB 1757 ON SECOND READING
(by Hughes and Parker)

CSHB 1757, A bill to be entitled An Act relating to the obstruction of emergency vehicles at railroad crossings.

CSHB 1757 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

CSHB 3736 ON SECOND READING
(by McReynolds)

CSHB 3736, A bill to be entitled An Act relating to establishing parole officer maximum caseloads.

CSHB 3736 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2167 ON SECOND READING
(by Rodriguez)

HB 2167, A bill to be entitled An Act relating to the authority of a person to charge a fee for assisting another person in applying for a residence homestead tax exemption; imposing a civil penalty.

Amendment No. 1

Representative Rodriguez offered the following amendment to **HB 2167**:

Amend **HB 2167** by adding the following SECTION to the bill, appropriately numbered, and renumbering existing SECTIONS accordingly:

SECTION _____. (a) Section 25.19, Tax Code, is amended by adding Subsection (b-2) and amending Subsection (d) to read as follows:

(b-2) This subsection applies only to a notice of appraised value for residential real property that has not qualified for a residence homestead exemption in the current tax year. If the records of an appraisal district show that a property owner has the same address as that property, in addition to containing the applicable information required by Subsections (b), (b-1), and (f), the notice must contain the following statement in boldfaced 12-point type: "According to the records of the appraisal district, the residential real property described in this notice of appraised value is not currently being allowed a residence homestead exemption from ad valorem taxation. If the property is your home and you occupy it as your principal place of residence, the property may qualify for one or more residence homestead exemptions, which will reduce the amount of taxes imposed on the property. The form needed to apply for a residence homestead exemption is enclosed. Although the form may state that the deadline for filing an application for a residence homestead exemption is April 30, a late application for a residence homestead exemption will be accepted if filed before February 1, (insert year application must be filed). There is no fee or charge for filing an application or a late application for a residence homestead exemption." The notice must be accompanied by an application form for a residence homestead exemption.

(d) Failure to receive a ~~the~~ notice required by this section does not affect the validity of the appraisal of the property, the imposition of any tax on the basis of the appraisal, the existence of any tax lien, the deadline for filing an application for a residence homestead exemption, or any proceeding instituted to collect the tax.

(b) This section takes effect January 1, 2008.

Amendment No. 1 was adopted.

Amendment No. 2

Representative C. Howard offered the following amendment to **HB 2167**:

Amend **HB 2167** (House Committee Printing) as follows:

(1) On page 1, line 7, strike "Section 11.49" and substitute "Sections 11.49 and 11.50".

(2) On page 2, between lines 12 and 13, insert the following:

Sec. 11.50. ASSISTANCE WITH RESIDENCE HOMESTEAD EXEMPTION APPLICATION. (a) A settlement agent who conducts a closing on a sale or other transfer of title to a single-family residential structure or a single unit of other residential property shall provide to the purchaser or other transferee as applicable:

(1) a copy of the form used by each appraisal district in which the property is located for applying for residence homestead exemptions under Section 11.13; and

(2) the following information:

(A) the type of residence homestead exemptions available under Section 11.13 and instructions on how to file an application for applicable exemptions with each appraisal district in which the property is located;

(B) the location, including the mailing and physical address, of each appraisal district in which the property is located; and

(C) the deadline by which the appraisal district must receive the application for the purchaser or other transferee to qualify for any applicable residence homestead exemptions under Section 11.13.

(b) A person who is required to provide a form and information under this section is not liable to the purchaser or other transferee of the property for:

(1) an error in the information provided; or

(2) the person's failure to provide the form or information.

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

SECTION ____ . Section 11.50, Tax Code, as added by this Act, applies only to a sale or other transfer of title to real property that occurs on or after the effective date of this Act.

Amendment No. 2 was adopted.

HB 2167, as amended, was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Phillips recorded voting no.)

POSTPONED BUSINESS

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

CSHB 1606 ON SECOND READING

(by Zedler)

CSHB 1606, A bill to be entitled An Act relating to the exemption from ad valorem taxation for property owned by a religious organization for purposes of expanding a religious facility or constructing a new religious facility.

CSHB 1606 was read second time earlier today and was postponed until this time.

CSHB 1606 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**GENERAL STATE CALENDAR
(consideration continued)**

**HB 3709 ON SECOND READING
(by Callegari)**

HB 3709, A bill to be entitled An Act relating to the authority to amend restrictions applicable to certain residential subdivisions.

HB 3709 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

**HB 3706 ON SECOND READING
(by Laubenberg)**

HB 3706, A bill to be entitled An Act relating to county development district programs to promote tourism.

HB 3706 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

(Speaker in the chair)

**CSHB 3575 ON SECOND READING
(by Rose, J. Davis, Herrero, Hughes, and Parker)**

CSHB 3575, A bill to be entitled An Act relating to the monitoring and enhancement of health and human services information technology systems.

CSHB 3575 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE NAISHTAT: I wanted to ask you about one area which the subcommittee studied and made some recommendations on, and it has to do with one of the primary causes for the problems we experienced regarding Accenture and eligibility to termination and children being either not reenrolled or not allowed to enroll. One of the problems over the last couple of years has been not enough staff, either at the state level or the contractor level, to process benefits in a timely manner and an accurate manner. Several of us believe that ultimately and hopefully sooner rather than later, the Health and Human Services Commission would conduct a staffing analysis and do that before issuing a request for proposals for contracting duties related to the eligibility system and the expansion of TIERS. My question is, do you agree that this is important and ultimately necessary, and how does your bill approach this or not approach it, and if it

doesn't, give me a response that will satisfy those of us who are so concerned about this issue?

REPRESENTATIVE ROSE: Mr. Naishtat, you and I share the same concern. For the first time in statute, **HB 3575** would designate goals for the enhanced eligibility system, one of those goals being the quality of and client access to services provided by the commission. I believe that the level and capacity of employees at the commission is absolutely at the foundation of achieving that first goal. I believe your concern is encompassed by **HB 3575**, and if you'd like to reduce that to writing and place it in the journal, I think that would be productive.

NAISHTAT: Repeat the last statement that you made.

ROSE: If you'd like to reduce that to writing and place it in the journal, I believe that would be productive.

NAISHTAT: I believe it would be productive also. I thank you for your hard work on this bill, but let's not lose sight of this area which needs to be seriously studied.

REMARKS ORDERED PRINTED

Representative Naishtat moved to print remarks between Representative Rose and Representative Naishtat.

The motion prevailed.

REPRESENTATIVE HERRERO: Some of the concerns that arose with respect to the Accenture contract and some of the other subcontractors, I know that at this point in time we still don't have an integrated eligibility system that is functioning at the level that probably you or I would want it to be functioning—

REPRESENTATIVE ROSE: We do not.

HERRERO: —but there are procedures in place that we hopefully want that will be successful in ensuring that we have an integrated eligibility system that will be able to provide services to people that are eligible, is that correct?

ROSE: That's correct.

HERRERO: In laying out **HB 3575** in the Human Services Committee, did I not ask you a series of questions with respect to the intent of **HB 3575**?

ROSE: Yes, you did.

HERRERO: Instead of going through that laundry list of questions with respect to the intent of the bill, **HB 3575**, would you agree with me that for the purposes of speaking intent on **HB 3575** that we could look to the minutes of the committee with respect to **HB 3575**?

ROSE: I think that would be very appropriate.

HERRERO: In addition to trying to determine legislative intent that we could also look, as a resource, to the recommendations that were produced by the subcommittee with respect to the TIERS system?

ROSE: I do believe that.

REMARKS ORDERED PRINTED

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

The motion prevailed.

Amendment No. 1

Representative Gallego offered the following amendment to **CSHB 3575**:

Amend **CSHB 3575** as follows:

(1) On page 5, line 20, strike "seven" and substitute "nine".

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

(3) On page 6, line 2, between "governor" and the underlined period, insert the following:

; and

(6) two members of the public, appointed by the governor, who have expertise in:

(A) the delivery of health and human services program benefits to recipients; or

(B) the use of technology to improve the delivery of those program benefits to recipients

(4) On page 6, line 6, strike "(b)(3), (4), or (5)" and substitute "(b)(3), (4), or (5), or (6)".

Representative Rose moved to table Amendment No. 1.

A record vote was requested.

The motion to table prevailed by (Record 1252): 94 Yeas, 41 Nays, 1 Present, not voting.

Yeas — Allen; Anchia; Anderson; Aycock; Berman; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Eiland; Eissler; Elkins; Flynn; Frost; Gattis; Geren; Giddings; Guillen; Haggerty; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Lucio; Macias; Madden; McCall; McClendon; McReynolds; Menendez; Merritt; Miller; Morrison; O'Day; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Dunnam; Dutton; Escobar; Farabee; Farias; Farrar; Flores; Gallego; Garcia; Gonzales; Gonzalez Tourelles; Goolsby; Heflin; Hernandez; Herrero; Hochberg;

Hodge; Homer; King, T.; Leibowitz; Mallory Caraway; Martinez; Martinez Fischer; Miles; Naishtat; Noriega; Olivo; Ortiz; Raymond; Rodriguez; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno; Smithee.

Absent — Alonzo; Bailey; Bohac; England; Hamilton; Hill; Howard, C.; Mowery; Murphy; Oliveira; Puente; Thompson.

Amendment No. 2

Representative Coleman offered the following amendment to **CSHB 3575**:

Amend **CSHB 3575** as follows:

(1) On page 3, line 19, strike "and".

(2) On page 3, line 22, between "Section 531.452" and the underlined period, insert the following:
; and

(5) provide that the use of the Texas Integrated Eligibility Redesign System (TIERS) will not be expanded to additional counties, and no additional health and human services program benefits cases will be converted to that system, until the system is fully functional

Representative Rose moved to table Amendment No. 2.

A record vote was requested.

The motion to table prevailed by (Record 1253): 98 Yeas, 42 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson; Aycock; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chavez; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Driver; Dukes; Eiland; Eissler; Elkins; England; Flynn; Frost; Garcia; Gattis; Geren; Giddings; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Hill; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Lucio; Madden; McCall; McClendon; McReynolds; Merritt; Miller; Morrison; Murphy; O'Day; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pitts; Quintanilla; Riddle; Ritter; Rose; Smith, T.; Smith, W.; Solomons; Strama; Straus; Swinford; Talton; Taylor; Truitt; Turner; Van Arsdale; West; Woolley; Zedler; Zerwas.

Nays — Allen; Alonzo; Bolton; Burnam; Castro; Cohen; Coleman; Davis, Y.; Dunnam; Dutton; Escobar; Farabee; Farias; Farrar; Flores; Gallego; Gonzales; Gonzalez Toureilles; Heflin; Hernandez; Herrero; Hochberg; Homer; King, T.; Leibowitz; Mallory Caraway; Martinez; Martinez Fischer; Menendez; Miles; Naishtat; Noriega; Olivo; Ortiz; Pierson; Raymond; Rodriguez; Thompson; Vaught; Veasey; Villarreal; Vo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Moreno; Smithee.

Absent — Bailey; Goolsby; Hodge; King, S.; Macias; Mowery; Puente.

CSHB 3575 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2622 ON SECOND READING
(by Ortiz)

HB 2622, A bill to be entitled An Act relating to eligibility of board members of certain rapid transit authorities to receive insurance benefits.

HB 2622 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Harper-Brown recorded voting no.)

HB 3503 ON SECOND READING
(by Farabee)

HB 3503, A bill to be entitled An Act relating to limitations on the compensation of county auditors for certain counties.

HB 3503 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 2001 ON SECOND READING
(by Creighton)

HB 2001, A bill to be entitled An Act relating to a program to control or eradicate nuisance aquatic vegetation.

HB 2001 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 1267 ON SECOND READING
(by Peña)

HB 1267, A bill to be entitled An Act relating to the compensation of counsel appointed to defend an indigent defendant in a criminal proceeding.

HB 1267 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. Members registering votes are as follows: Phillips recorded voting no.)

CSHB 2063 ON SECOND READING
(by Menendez, R. Cook, and Chisum)

CSHB 2063, A bill to be entitled An Act relating to the allocation of certain housing funds by the Texas Department of Housing and Community Affairs and to the information used to determine the allocation of those funds.

CSHB 2063 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

HB 358 ON SECOND READING
(by McReynolds)

HB 358, A bill to be entitled An Act relating to the determination of the amount of the exemption from ad valorem taxation to which a disabled veteran is entitled.

HB 358 was passed to engrossment. (In accordance with House Rule 5, Section 51(b), every member present must have favored passage of the measure, but any member may register their position with the journal clerk. No members registered their position on this measure.)

SB 1562 ON SECOND READING
(P. King - House Sponsor)

SB 1562, A bill to be entitled An Act relating to animal control officer training.

SB 1562 was considered in lieu of **HB 633**.

Representative P. King moved to postpone consideration of **SB 1562** until 10 a.m. Monday, May 14.

The motion prevailed.

HB 633 - LAID ON THE TABLE SUBJECT TO CALL

Representative P. King moved to lay **HB 633** on the table subject to call.

The motion prevailed.

RESOLUTIONS ADOPTED

Representative Isett moved to suspend all necessary rules in order to take up and consider at this time **HCR 221** and **HR 1948 - HR 1950**.

The motion prevailed.

The following resolutions were laid before the house:

HCR 221 (by Bohac), Congratulating Wesley and Bertha Krueger of Houston on their 50th wedding anniversary.

HR 1948 (by Darby), Honoring Treva J. Boyd for her service on the Texas Racing Commission.

HR 1949 (by Darby), Honoring R. Dyke Rogers for his service on the Texas Racing Commission.

HR 1950 (by Darby), Honoring Michael G. Rutherford for his service on the Texas Racing Commission.

The resolutions were adopted.

HR 2030 - ADOPTED
(by Miller)

Representative Isett moved to suspend all necessary rules to take up and consider at this time **HR 2030**.

The motion prevailed.

The following resolution was laid before the house:

HR 2030, In memory of Dublin native Johnny Duncan.

HR 2030 was unanimously adopted by a rising vote.

FIVE DAY POSTING RULE SUSPENDED

Representative Rose moved to suspend the five day posting rule to allow the Committee on Human Services to consider **SB 1866** upon final recess today in E2.026.

The motion prevailed.

COMMITTEES GRANTED PERMISSION TO MEET

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

Permission to meet was granted.

PROVIDING FOR RECESS

Representative Hughes moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house recess until 9 a.m. today Friday, May 11, in memory of Milford York of Mineola.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House

Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Corte in the chair)

RECESS

In accordance with a previous motion, the house, at 12:27 a.m., recessed until 9 a.m. today, Friday, May 11.

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 4139 (By Flynn), Relating to the creation of a county court at law in Van Zandt County.

To Judiciary.

HCR 228 (By Straus), In memory of Bruce B. Cloud of San Antonio.

To Rules and Resolutions.

HCR 229 (By Corte), Requesting that the United States Air Force consider certain criteria when considering relocating work from the Port of San Antonio to military depots.

To Defense Affairs and State-Federal Relations.

HCR 231 (By Ritter), In memory of Beaumont police officer Lisa Renee Ligda Beaulieu.

To Rules and Resolutions.

HCR 232 (By Craddick), Congratulating Ernesto Munoz of Midland on being named a 2007 Exemplary Migrant Student by the Migrant Student Graduation Enhancement Program of The University of Texas at Austin.

To Rules and Resolutions.

HCR 233 (By Strama), In memory of Teresa Terry of Pflugerville.

To Rules and Resolutions.

HCR 234 (By Hughes), In memory of the Honorable William M. Steger, U.S. District Judge for the Eastern District of Texas.

To Rules and Resolutions.

HCR 235 (By Madden), Honoring Sergeant Brian J. Burzynski of the Texas Rangers for investigating allegations of abuse at a Texas Youth Commission facility.

To Rules and Resolutions.

HCR 239 (By Raymond), Respectfully urging the Texas Water Development Board to accelerate implementation of the colonia water project at State Highway 359 and Mines Road.

To Natural Resources.

HCR 243 (By Dutton), Encouraging state agencies to consider the diversity rankings of Texas law firms when hiring outside counsel.

To State Affairs.

HCR 247 (By R. Cook), Requesting the Brazos River Authority and the Lower Colorado River Authority to conduct a joint baseline study of the role of Lake Somerville in the economic development of the surrounding vicinity.

To Natural Resources.

HCR 248 (By Hilderbran), Honoring Fred H. Tally Elementary School in Kerrville on its selection as a 2006-2007 National Title I Distinguished School.

To Rules and Resolutions.

HCR 249 (By Thompson), Urging Congress and the Federal Aviation Administration to reexamine federal policies on the mitigation of aircraft noise.

To Transportation.

HR 1869 (By T. Smith), Congratulating John and Paula Juengerman on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1871 (By Crownover), In memory of Gilbert Daniel Martinez of Crossroads.

To Rules and Resolutions.

HR 1874 (By Delisi), Recognizing May 3, 2007, as the National Day of Prayer in Texas.

To Rules and Resolutions.

HR 1876 (By Noriega), Commemorating the 70th anniversary of Stephen F. Austin High School in Houston.

To Rules and Resolutions.

HR 1881 (By Talton), Congratulating Pastor Edward Bryan Morrison of Deer Park on his retirement.

To Rules and Resolutions.

HR 1882 (By W. Smith), Recognizing Baytown city councilman Sammy Mahan for his professional and civic accomplishments.

To Rules and Resolutions.

HR 1883 (By W. Smith), In memory of Martha Jane Huddle of Baytown.

To Rules and Resolutions.

HR 1884 (By W. Smith), Honoring Dr. Richard Thomson on being named the Outstanding Baytown Texas Ex for 2007 by the Baytown Texas Exes.

To Rules and Resolutions.

HR 1885 (By W. Smith), Honoring attorney Maria Andrea Sanchez of Houston for her achievements and congratulating her on her recognition in More magazine.

To Rules and Resolutions.

HR 1886 (By W. Smith), In memory of Sean Michael DuBose of Spring.

To Rules and Resolutions.

HR 1887 (By W. Smith), In memory of U.S. Army Sergeant Robert Matthew McDowell.

To Rules and Resolutions.

HR 1888 (By W. Smith), In memory of William Howard Dickerson of Baytown.

To Rules and Resolutions.

HR 1889 (By Dutton), Congratulating Ebony M. Jackson on graduating in the top 10 percent of her class at E. L. Furr High School in Houston.

To Rules and Resolutions.

HR 1890 (By Hughes), Honoring Bob and Bernita Measles of Mineola on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1891 (By Hughes), In memory of Quinton Bond Carlile of Marshall.

To Rules and Resolutions.

HR 1892 (By Martinez), Honoring former Mercedes High School baseball player Arturo Gonzalez.

To Rules and Resolutions.

HR 1893 (By Hancock), Recognizing the nursing staff of North Hills Hospital in North Richland Hills on the occasion of National Nurses Week 2007.

To Rules and Resolutions.

HR 1894 (By Hancock), Commemorating the opening of Dr. Pillow Park in North Richland Hills.

To Rules and Resolutions.

HR 1896 (By Callegari), Congratulating Doyle Callender on his retirement as mayor of Katy.

To Rules and Resolutions.

HR 1898 (By Creighton), Honoring W. L. "Blackie" Bilnoski on his retirement from the Willis City Council.

To Rules and Resolutions.

HR 1899 (By Kolkhorst), Congratulating the Blinn College football team on winning the 2006 National Junior College Athletic Association championship.

To Rules and Resolutions.

HR 1900 (By Dutton), In memory of Fairy "E. J." Moore of Houston.

To Rules and Resolutions.

HR 1901 (By Dutton), Congratulating Michele Falzon of Friendswood on the selection of F. W. Gartner Thermal Spraying, Ltd. as the 2007 Jeffrey Butland Family-Owned Business of the Year by the Houston District Office of the U.S. Small Business Administration.

To Rules and Resolutions.

HR 1902 (By Dutton), Congratulating Constance Jones on her selection as the 2007 Minority Small Business Champion of the Year by the Houston District Office of the U.S. Small Business Administration.

To Rules and Resolutions.

HR 1903 (By Dutton), Congratulating Bruce Smith on his selection as the 2007 Small Business Person of the Year by the Houston District Office of the U.S. Small Business Administration.

To Rules and Resolutions.

HR 1905 (By Dutton), Congratulating Rhonda Lewis on her selection as the 2007 Financial Services Champion of the Year by the Houston District Office of the U.S. Small Business Administration.

To Rules and Resolutions.

HR 1907 (By Dutton), Congratulating John Hernandez on his selection as the 2007 Young Entrepreneur of the Year by the Houston District Office of the U.S. Small Business Administration.

To Rules and Resolutions.

HR 1908 (By Craddick), Congratulating William Logsdon on his receipt of a Midland Civics Teacher Award from the Bill of Rights Institute.

To Rules and Resolutions.

HR 1909 (By Craddick), Congratulating Erik Rook on his receipt of a Midland Civics Teacher Award from the Bill of Rights Institute.

To Rules and Resolutions.

HR 1910 (By Craddick), Congratulating Tammie Logsdon on her receipt of a Midland Civics Teacher Award from the Bill of Rights Institute.

To Rules and Resolutions.

HR 1913 (By Gallego), In memory of Anna Beth Anderson Ward of Fort Davis.

To Rules and Resolutions.

HR 1914 (By Callegari), Honoring Roosevelt Alexander of Katy on his contributions to his community.

To Rules and Resolutions.

HR 1915 (By Merritt), Congratulating Bill Parrott on being named Citizen of the Year by the Lindale Chamber of Commerce.

To Rules and Resolutions.

HR 1916 (By Parker), Honoring the Texas Army National Guard soldiers from House District 63 who have returned from duty in Iraq and Afghanistan.

To Rules and Resolutions.

HR 1917 (By Parker), Congratulating Cloyce Purcell on his retirement as superintendent of Pilot Point ISD.

To Rules and Resolutions.

HR 1918 (By Villarreal), Commending G. W. Brackenridge High School on its receipt of the College Board 2007 Inspiration Award.

To Rules and Resolutions.

HR 1920 (By Quintanilla), Honoring Ignacio G. and Victoria R. Apodaca of Socorro on their 50th wedding anniversary.

To Rules and Resolutions.

HR 1921 (By Leibowitz), Honoring Rebecca Toolan of Palo Alto Elementary School on her selection as the Teacher of the Year by the South San Antonio Independent School District and as the recipient of the KENS 5/ExCEL Award.

To Rules and Resolutions.

HR 1922 (By Laubenberg), In memory of U.S. Army First Lieutenant Gwilym Josef Newman.

To Rules and Resolutions.

HR 1924 (By Hill), Honoring Jack Lindamood, Michelle Berger, and Matthew Dempsey of UT Dallas for placing in the top 20 at the World Finals of the Association for Computing Machinery International Collegiate Programming Contest.

To Rules and Resolutions.

HR 1925 (By Hill), Honoring Sara Stephens and Brian Rubaie of the UT Dallas Debate Team for competing at the National Debate Tournament.

To Rules and Resolutions.

HR 1926 (By Hill), Congratulating The University of Texas at Dallas chess team for winning first place at the Final Four Intercollegiate Team Chess Championship.

To Rules and Resolutions.

HR 1927 (By Rose), Recognizing the student members of the boards of regents of the public universities of Texas.

To Rules and Resolutions.

HR 1928 (By Castro), Congratulating Jason Aragorn Kingsford of San Antonio on achieving the rank of Eagle Scout.

To Rules and Resolutions.

HR 1929 (By Castro), Congratulating Principal James Buchanan of Communications Arts High School in San Antonio on winning the Friend of the Profession Award from the Southwest Conference on Language Teaching.

To Rules and Resolutions.

HR 1930 (By B. Brown), Commending Horace P. Flatt for his career achievements and service to the United States.

To Rules and Resolutions.

HR 1931 (By B. Brown), Honoring the life of Elise Amalie Tvede Waerenskjold for her contributions to the State of Texas.

To Rules and Resolutions.

HR 1932 (By Latham), Commemorating the 50th anniversary of the Mesquite Championship Rodeo in 2007.

To Rules and Resolutions.

HR 1933 (By Chisum), Honoring Parmer County on the 100th anniversary of its founding.

To Rules and Resolutions.

HR 1934 (By Gattis), Congratulating the Cedar Park Fire Department for being named the top EMS first-responder organization in Texas for 2006.

To Rules and Resolutions.

HR 1935 (By Gattis), Honoring Leander Independent School District Superintendent Tom Glenn on his retirement.

To Rules and Resolutions.

HR 1938 (By R. Cook), In memory of former State Representative Jean Edmond Hosey of La Grange.

To Rules and Resolutions.

HR 1939 (By Dutton), Honoring the life and achievements of the late artist and activist Paul Robeson.

To Rules and Resolutions.

HR 1943 (By Delisi), Honoring young inventor and entrepreneur Joel Williams, Jr., of Troy.

To Rules and Resolutions.

HR 1944 (By Delisi), Congratulating Allison Dickson of Temple on her graduation from Baylor Law School.

To Rules and Resolutions.

HR 1945 (By Martinez), Congratulating Dr. Gene Lester and Dr. Yin-Tung Wang of Weslaco on being named Fellows by the American Society for Horticultural Science.

To Rules and Resolutions.

HR 1946 (By Murphy), Congratulating Diane Yoo on being named Miss Korea Texas.

To Rules and Resolutions.

HR 1947 (By Villarreal), Congratulating the educators and administrators who have earned 2007 H-E-B Excellence in Education Awards.

To Rules and Resolutions.

HR 1952 (By Goolsby), In memory of James M. "Jimmy" Moroney, Jr., of Dallas.

To Rules and Resolutions.

HR 1954 (By Y. Davis), Expressing support for a bill of rights for the poor.

To State Affairs.

HR 1957 (By Guillen), Honoring Edmundo B. Garcia, Jr., for his service as county judge of Duval County.

To Rules and Resolutions.

HR 1958 (By Frost), In memory of U.S. Army Air Corps Second Lieutenant Ernest Paul Kirkland of Cass County.

To Rules and Resolutions.

HR 1959 (By Bolton), Recognizing Lady Bird Johnson's efforts to beautify the nation's highways and encouraging further collaboration between the Texas Department of Transportation and the Lady Bird Johnson Wildflower Center at The University of Texas at Austin.

To Transportation.

HR 1960 (By B. Brown), Congratulating Chief James M. Smith for receiving the award of public service from the Texas Commission of Law Enforcement Officer Standards and Education.

To Rules and Resolutions.

HR 1961 (By McCall), Congratulating the Plano West High School girls' soccer team on winning its fourth state title.

To Rules and Resolutions.

HR 1962 (By McCall), Honoring Beverly Halperin for her service to the Plano Chamber of Commerce.

To Rules and Resolutions.

HR 1963 (By Frost), In memory of Flora Eugenia Davis of Texarkana.

To Rules and Resolutions.

HR 1964 (By Hopson), In memory of U.S. Customs and Border Protection Agent Clinton Brady Thrasher of McAllen.

To Rules and Resolutions.

HR 1965 (By O'Day), Congratulating State Representative Dennis Bonnen and Kim Bonnen on the birth of their son, Gregory James Bonnen.

To Rules and Resolutions.

HR 1966 (By Farabee), In memory of James D. Lonergan of Wichita Falls.

To Rules and Resolutions.

HR 1968 (By Callegari), Commemorating the ribbon-cutting ceremony for the completion of the first phase of the renovation of the Katy Police Department's police station.

To Rules and Resolutions.

HR 1970 (By Callegari), Congratulating the Katy Police Department on the success of its Canine Program teams at the National Narcotic Detector Dog Association Training Conference and Competition.

To Rules and Resolutions.

HR 1972 (By Dutton), Commemorating the sixth annual eighth-grade promotion ceremony at Northwest Preparatory Academy Charter School.

To Rules and Resolutions.

HR 1973 (By Dutton), Honoring Officer Charles Tanksley on his retirement from the Houston Police Department.

To Rules and Resolutions.

HR 1974 (By Dutton), In memory of Leonard Joseph Llorens of Houston.

To Rules and Resolutions.

HR 1975 (By Dutton), In memory of the Reverend Father Isaac Onante Francis of the Archdiocese of Galveston-Houston.

To Rules and Resolutions.

HR 1976 (By Gattis), Recognizing retiring Cameron ISD superintendent Maxie Morgan.

To Rules and Resolutions.

HR 1977 (By Gattis), In memory of William Grogan Lord of Georgetown.

To Rules and Resolutions.

HR 1978 (By Martinez), Congratulating the Weslaco East High School girls' basketball team on winning the District 32-4A championship.

To Rules and Resolutions.

HR 1980 (By J. Davis), Congratulating Clear Creek ISD CFO Paul McLarty on earning the Distinguished Budget Presentation award from the Government Finance Officers Association.

To Rules and Resolutions.

HR 1981 (By S. King), Commemorating the 42nd Annual Armed Forces Barbecue in Abilene.

To Rules and Resolutions.

HR 1982 (By Phillips), Honoring Reba McEntire for her efforts to benefit the Texoma Medical Center.

To Rules and Resolutions.

HR 1983 (By Hopson), In memory of Rosa Jane Cigainero of Jacksonville.

To Rules and Resolutions.

HR 1986 (By Dukes), In memory of Clifford Jamal Antone of Austin.

To Rules and Resolutions.

HR 1987 (By Hilderbran), Commending Bruce Rigler for his service to the Plainview community.

To Rules and Resolutions.

HR 1988 (By Pierson), Congratulating Matthew Brown on his new position as assistant principal at Miller Elementary School in Arlington ISD.

To Rules and Resolutions.

HR 1989 (By Dutton), Honoring Gilberta Delphine Bradford Portley Neblett of Houston on her 90th birthday.

To Rules and Resolutions.

HR 1990 (By Vaught), Honoring Texas writer Lawrence Wright for winning the Pulitzer Prize for nonfiction for his book *The Looming Tower: Al-Qaeda and the Road to 9/11*.

To Rules and Resolutions.

HR 1991 (By Branch), Congratulating members of the Highland Park High School science team on their success at the Class 4A Region II Academic Meet.

To Rules and Resolutions.

HR 1992 (By Branch), Honoring the girls' swimming and diving team of Highland Park High School in Dallas for winning the UIL Class 4A state championship for 2006-2007.

To Rules and Resolutions.

HR 1993 (By Hughes), In memory of David Kitchens of Mineola.

To Rules and Resolutions.

HR 1994 (By Hughes), In memory of Robert Lee "Bob" Reynolds of the Holly Lake Ranch area in Wood County.

To Rules and Resolutions.

HR 1995 (By Hughes), Congratulating Charles and Mae Brown on being named the Man and Woman of the Year by the Big Sandy Chamber of Commerce.

To Rules and Resolutions.

HR 1997 (By Branch), Congratulating the SMU cheer and dance teams on their success at the National Collegiate Cheer and Dance Championships.

To Rules and Resolutions.

HR 1998 (By Jackson), Recognizing May 14, 2007, as Mary Kay Ash Day in the State of Texas.

To Rules and Resolutions.

HR 1999 (By Jackson), Congratulating Larry and Linda Cernosek of Deer Park on their 30th wedding anniversary.

To Rules and Resolutions.

HR 2000 (By Laubenberg), Recognizing May 11, 2007, as the 2007 China Textiles Materials Trade and Cooperation Delegation Day at the State Capitol.

To Rules and Resolutions.

HR 2001 (By Leibowitz), Honoring Angie D'Ambrosio of San Antonio on being named a finalist for an HEB Excellence in Education Leadership Award.

To Rules and Resolutions.

HR 2003 (By Craddick), Honoring Margaret Elizabeth Crouch Tiner and David Daniel Tiner of Crane on their public service.

To Rules and Resolutions.

HR 2004 (By Craddick), Honoring Midland ISD's Volunteers in Public Schools.

To Rules and Resolutions.

HR 2005 (By Chavez), Honoring Raymond Ochoa for serving as Democratic chair of Precinct 2 in El Paso County.

To Rules and Resolutions.

HR 2006 (By Chavez), Honoring Ruben John Vogt for serving as Democratic chair of Precinct 3 in El Paso County.

To Rules and Resolutions.

HR 2007 (By Chavez), Honoring Moises Munoz for serving as Democratic chair of Precinct 4 in El Paso County.

To Rules and Resolutions.

HR 2008 (By Chavez), Honoring Peggy Janosek for serving as Democratic chair of Precinct 5 in El Paso County.

To Rules and Resolutions.

HR 2009 (By Chavez), Honoring Jim Schewherr for serving as Democratic chair of Precinct 6 in El Paso County.

To Rules and Resolutions.

HR 2010 (By Chavez), Honoring Carolyn Diamond for serving as Democratic chair of Precinct 8 in El Paso County.

To Rules and Resolutions.

HR 2011 (By Chavez), Honoring Marco A. Marquez for serving as Democratic chair of Precinct 9 in El Paso County.

To Rules and Resolutions.

HR 2012 (By Chavez), Honoring Paul Geneson for serving as Democratic chair of Precinct 10 in El Paso County.

To Rules and Resolutions.

HR 2013 (By Chavez), Honoring Kevin Quinn for serving as Democratic chair of Precinct 11 in El Paso County.

To Rules and Resolutions.

HR 2014 (By Chavez), Honoring Tim Fierro for serving as Democratic chair of Precinct 12 in El Paso County.

To Rules and Resolutions.

HR 2015 (By Chavez), Honoring Porfirio O. Alvarado, Jr., for serving as Democratic chair of Precinct 15 in El Paso County.

To Rules and Resolutions.

HR 2016 (By Chavez), Honoring Dexter Katzman for serving as Democratic chair of Precinct 16 in El Paso County.

To Rules and Resolutions.

HR 2017 (By Chavez), Honoring Miguel A. Torres for serving as Democratic chair of Precinct 17 in El Paso County.

To Rules and Resolutions.

HR 2018 (By Chavez), Honoring Jim Fitzgerald for serving as Democratic chair of Precinct 18 in El Paso County.

To Rules and Resolutions.

HR 2019 (By Chavez), Honoring Mary Lyerly for serving as Democratic chair of Precinct 19 in El Paso County.

To Rules and Resolutions.

HR 2020 (By Chavez), Honoring Don Kirkpatrick for serving as Democratic chair of Precinct 20 in El Paso County.

To Rules and Resolutions.

HR 2021 (By Chavez), Honoring Michael Charter for serving as Democratic chair of Precinct 21 in El Paso County.

To Rules and Resolutions.

HR 2022 (By Chavez), Honoring Clinton Cross for serving as Democratic chair of Precinct 22 in El Paso County.

To Rules and Resolutions.

HR 2023 (By Chavez), Honoring Marie "Pee Wee" Mier for serving as Democratic chair of Precinct 23 in El Paso County.

To Rules and Resolutions.

HR 2024 (By Chavez), Honoring Joseph William Delgado for serving as Democratic chair of Precinct 25 in El Paso County.

To Rules and Resolutions.

HR 2025 (By Bolton), Congratulating Giang Hoang of Paredes Middle School in Austin on her receipt of a 2007 READ 180 All-Star Award.

To Rules and Resolutions.

HR 2026 (By Bolton), In memory of Richard West Hopper of Austin.

To Rules and Resolutions.

HR 2027 (By Hilderbran), In memory of David L. Vetter of Ingram.

To Rules and Resolutions.

HR 2028 (By Hilderbran), In memory of Kenneth Brice Shackelford of Real County.

To Rules and Resolutions.

HR 2029 (By Hilderbran), In memory of Rena Joe Patterson Johnson of Rocksprings.

To Rules and Resolutions.

SB 357 to Agriculture and Livestock.

SB 504 to Ways and Means.

SB 508 to Licensing and Administrative Procedures.

SB 568 to Insurance.

SB 741 to Local Government Ways and Means.

SB 922 to Public Health.

SB 973 to Public Health.

SB 1004 to County Affairs.

SB 1212 to Urban Affairs.
SB 1274 to Public Health.
SB 1380 to County Affairs.
SB 1429 to Public Health.
SB 1444 to Business and Industry.
SB 1485 to Economic Development.
SB 1503 to Public Health.
SB 1559 to Transportation.
SB 1647 to Elections.
SB 1693 to Transportation.
SB 1895 to Natural Resources.
SB 1972 to County Affairs.
SB 2019 to Natural Resources.
SB 2040 to Insurance.
SCR 38 to Rules and Resolutions.

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

SB 1484 to Financial Institutions.

SIGNED BY THE SPEAKER

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

House List No. 36

HB 66, HB 1071, HB 1311, HB 1312, HB 1622, HCR 213, HCR 236, HCR 241

Senate List No. 38

SB 168, SB 500, SB 947, SB 1084, SB 1107, SB 1306, SB 1430, SB 1463, SB 1542, SB 1634, SB 1660, SB 1673, SB 1836, SB 1977

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
Thursday, May 10, 2007

The Honorable Speaker of the House
House Chamber

Austin, Texas

Mr. Speaker:

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

LOCAL AND UNCONTESTED CALENDAR

HB 35 Solomons SPONSOR: Seliger
Relating to a prohibition on linking the compensation of the chief appraiser of an appraisal district to an increase in the total value of property in the district.

HB 143 Deshotel SPONSOR: Carona
Relating to application of the Texas no-call list to certain transmissions to a mobile telephone number.

HB 208 Flores SPONSOR: Lucio
Relating to the eligibility of students enrolled in joint credit or concurrent enrollment programs for extracurricular activities and University Interscholastic League competitions.

HB 365 Chisum SPONSOR: Seliger
Relating to the exemption from regulation of certain charitable, religious, or civic organizations engaged in auction activities.

HB 518 Naishtat SPONSOR: Brimer
Relating to the detention and examination of certain persons for whom an application for emergency detention or a motion for an order of protective custody has been filed.

HB 864 Callegari SPONSOR: Williams
Relating to a garagekeeper's duty to report the abandonment of a motor vehicle.

HB 944 Solomons SPONSOR: Fraser
Relating to location of certain financial institution branches.

HB 1449 Bohac SPONSOR: Deuell
Relating to designating November as Lung Cancer Awareness Month.

HB 1560 Callegari SPONSOR: Jackson,
Mike
Relating to liability of a governmental unit for certain recreational activities.

HB 1716 Solomons SPONSOR: Van de Putte
Relating to the registration of a registered financial services company and the authority of its exclusive agents to act as mortgage brokers.

HB 1781 Harless SPONSOR: Ellis
Relating to information displayed on a disabled parking placard.

HB 1962 Orr SPONSOR: Fraser
Relating to the application of the Business Organizations Code to certain financial institutions and the regulation of those institutions by the Texas Department of Banking.

HB 1987 Berman SPONSOR: Duncan
Relating to the offense of possessing another person's official ballot or official carrier envelope.

(Committee Substitute)

HB 2090 Hill SPONSOR: Carona
Relating to the creation of a local government transportation corporation by a hospital district or hospital authority.

HB 2127 Murphy SPONSOR: Williams
Relating to the operation of all-terrain vehicles in connection with utility work.

HB 2188 Paxton SPONSOR: Williams
Relating to the exception of certain ad valorem tax appraisal information from required disclosure under the public information law.

(Committee Substitute)

HB 2708 Hancock SPONSOR: Carona
Relating to the nature of certain promotional event prize programs.

HB 2727 Goolsby SPONSOR: Williams
Relating to storage of certain imported alcoholic beverages.

HB 3169 Swinford SPONSOR: Seliger
Relating to the transfer of certain state property from the Texas Health and Human Services Commission, on behalf of the Department of State Health Services or the Department of Aging and Disability Services, as appropriate, to Texas Panhandle Mental Health Mental Retardation.

HB 3437 Flores SPONSOR: Hinojosa
Relating to an optional fee on registration of a vehicle in certain counties to fund transportation projects.

HB 3718 Krusee SPONSOR: Watson
Relating to terms of directors of a regional mobility authority.

HCR 15 Brown, Betty SPONSOR: Nichols
Designating Athens, Texas, as the Original Home of the Hamburger.

HCR 30 Bonnen SPONSOR: Jackson,
Mike

Designating the Texas blind salamander as the official State Amphibian of Texas.

SB 1004 Whitmire
Relating to the election and disqualification of emergency services commissioners in certain populous counties.

SB 1380 Shapleigh
Relating to fees charged for public health services by certain governmental entities.

SB 1444 Gallegos
Relating to the receivership and rehabilitation of certain property.

SB 1559 Hinojosa
Relating to the registration and operation of certain off-highway vehicles.

SB 1647 Duncan
Relating to certain election practices and procedures, including provisions relating to the conduct of elections, voting systems, and recounts.

SB 1693 Nelson

Relating to the creation of inland port authorities; providing authority to impose a tax and issue bonds.

SB 1895 Uresti

Relating to the regulation of certain water wells by the Brewster County Groundwater Conservation District.

SB 2019 Uresti

Relating to the regulation of certain water wells by the Presidio County Underground Water Conservation District.

SB 2040 Jackson, Mike

Relating to coverage for bariatric surgical procedures for certain state employees.

SCR 38 Nichols

Commemorating the 200th anniversary of the birth of James Pinckney Henderson.

Respectfully,

Patsy Spaw

Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Thursday, May 10, 2007 - 2

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 679 Swinford SPONSOR: Seliger

Relating to the validation of governmental acts and proceedings of the Downtown Midland Management District.

HB 1768 Anchia SPONSOR: West, Royce

Relating to the hours worked during a week by police officers in certain municipalities.

HB 1784 Haggerty SPONSOR: Jackson,
Mike

Relating to notice of certain information concerning a governmental body's alarm system response policy.

HB 1850 Flores SPONSOR: West, Royce

Relating to an inspection performed by a plumbing inspector or qualified plumbing inspection business for a political subdivision.

(Committee Substitute)

HB 1947 Hodge SPONSOR: West, Royce
Relating to the designation of the structure on Interstate 30 connecting the east and west levee of the Trinity River as the Margaret McDermott Bridge.

HB 3392 Guillen SPONSOR: Zaffirini
Relating to the resumption of employment by certain retirees within the Texas Municipal Retirement System.
(Committee Substitute)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 10, 2007 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 1491 Woolley SPONSOR: Williams
Relating to disclosure of certain relationships with local government officers.

SB 357 Jackson, Mike
Relating to the establishment of a program by the Department of Agriculture to make grants to encourage the construction of facilities that generate electric energy with certain types of agricultural residues, waste, debris, or crops.

SB 504 Wentworth
Relating to the exemption from ad valorem taxation for certain solar or wind-powered energy devices.

SB 508 Gallegos
Relating to the regulation of certain licensing agents; providing penalties.

SB 922 Watson
Relating to regional or local health care programs for employees of small employers.

THE SENATE HAS CONCURRED IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 277 (31 Yeas, 0 Nays)

SB 823 (31 Yeas, 0 Nays)

THE SENATE HAS REFUSED TO CONCUR IN HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 103

Senate Conferees: Hinojosa - Chair/Hegar/Seliger/Whitmire/Williams

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Thursday, May 10, 2007 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

SB 568

Ellis

Relating to group health benefit plan coverage for an enrollee with certain mental disorders.

SB 741

Carona

Relating to imposition of local sales and use taxes on certain taxable items shipped outside a transit authority.

SB 973

Van de Putte

Relating to notification to a patient of a mental health facility or resident of a residential care facility of the exemption of certain trusts from liability to pay for support.

SB 1212

Gallegos

Relating to the local control of firefighter employment matters in certain municipalities.

SB 1274

Van de Putte

Relating to the compounding of a drug or device by a pharmacist.

SB 1429

Van de Putte

Relating to the authority of physicians to delegate to certain pharmacists the implementation and modification of a patient's drug therapy.

SB 1485

Lucio

Relating to the establishment of the Texas Rural Development Fund and to the establishment, operation, and funding of certain programs for rural economic development.

SB 1503

Zaffirini

Relating to behavioral health services for children and establishment of the Children's Behavioral Health Council.

SB 1972

Fraser

Relating to the election by voters regarding the maximum tax rate of a hospital district.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 9

Business and Industry - **SB 1169, SB 1540, SB 1541**

Corrections - **SB 1533**

County Affairs - **HB 3447, HB 3786, SB 680, SB 833, SB 968, SB 1165, SB 1196, SB 1630**

Criminal Jurisprudence - **SB 867, SB 1203**

Defense Affairs and State-Federal Relations - **HB 3943, SB 251, SB 903, SB 1499**

Elections - **SB 361**

Financial Institutions - **SB 1332**

Government Reform - **SB 1834**

Higher Education - **SB 138, SB 139, SB 140, SB 161, SB 201, SB 276, SB 285, SB 289, SB 480, SB 1325, SB 1417**

Human Services - **SB 218, SB 723**

Land and Resource Management - **SB 1349, SB 1360, SB 1439**

Law Enforcement - **SB 328, SB 955, SB 1709, SB 1723, SB 1970**

Licensing and Administrative Procedures - **SB 665, SB 1215, SB 1217, SB 1229**

Natural Resources - **HB 3984, HB 4068, SB 616, SB 1661, SB 1963, SB 1964, SB 1965, SB 1966, SB 1967, SB 1981**

Public Health - **SB 24, SB 703, SB 1033**

State Affairs - **SB 1783**

Transportation - **SB 329, SB 387, SB 1040, SB 1252, SB 1786, SB 1836**

Urban Affairs - **SB 352**

ENGROSSED

May 9 - HB 9, HB 13, HB 1117, HB 1524, HB 1728, HB 2109, HB 2548, HB 2551, HB 2960, HB 3270, HB 3778, HB 3930, HJR 37, HJR 40, HJR 93

ENROLLED

May 9 - HB 66, HB 1071, HB 1622, HCR 213, HCR 236

SENT TO THE GOVERNOR

May 9 - HB 85, HB 121, HB 823, HB 923, HB 1344, HB 1505