

# HOUSE JOURNAL

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EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SEVENTY-SECOND DAY — FRIDAY, MAY 15, 2009

The house met at 2:25 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 874).

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

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

### LEAVES OF ABSENCE GRANTED

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

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

Pierson on motion of S. King.

Pitts on motion of Homer.

### COMMITTEE GRANTED PERMISSION TO MEET

Representative McCall requested permission for the Committee on Calendars to meet while the house is in session, at 3 p.m. today, in 3W.9, for a formal meeting, to consider the calendar.

Permission to meet was granted.

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 3 p.m. today, 3W.9, for a formal meeting, to consider the calendar.

### RULES SUSPENDED

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

The motion prevailed.

### MOTION FOR ONE RECORD VOTE

On motion of Representative Thompson and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent, and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk, with the exception of **HB 466**, **HB 1221**, and **HB 3419**.

### LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

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

(Record 875): 144 Yeas, 0 Nays, 1 Present, not voting.

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

Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

**SB 337**

**HB 141**

**HB 279** (Anderson, Corte, and Hilderbran - no) (141 - 3 - 1)

**HB 425**

**HB 451** (Corte and Hilderbran - no) (142 - 2 - 1)

**HB 507**

**HB 586**

**SB 409**

**SB 256**

**HB 694**

**HB 751** was withdrawn.

**HB 856**

**HB 889**

**SB 1929** (Aycock, Chisum, Craddick, Crownover, Darby, Flynn, Keffer, Legler, Parker, Shelton, Taylor, and Weber - no) (132 - 12 - 1)

**SB 1035** (Aycock and Darby - no) (142 - 2 - 1)

**SB 316**

**HB 1283**

**HB 1295**

**SB 2229**

**HB 1306** (Corte, Craddick, Crownover, Hilderbran, Kleinschmidt, Legler, Parker, Riddle, Shelton, and Taylor - no) (134 - 10 - 1)

**HB 1343**

**SB 1152**

**SB 446**

**HB 1527**

**SB 1628**

**HB 1581**

**HB 1596**

**HB 1598**

**HB 1599**

**SB 1675**

**HB 1664**

**HB 1665**

**HB 1686**

**HB 1720**

**SB 1504**

**SB 1063**

**HB 1946** (Sheffield - no) (143 - 1 - 1)

**HB 2053**

**SB 1241** (Sheffield - no) (143 - 1 - 1)

**SB 931** (Sheffield - no) (143 - 1 - 1)

**SB 930**

**SB 932** (Sheffield - no) (143 - 1 - 1)

**SB 929** (Sheffield - no) (143 - 1 - 1)

**HB 2190**

**HB 2223**

**HB 2232**

**HB 2280**

**HB 2369**

**HB 2525** (Aycok, Button, Chisum, Craddick, Crownover, Darby, Flynn, Harless, Hunter, Keffer, Kleinschmidt, Legler, D. Miller, Parker, Phillips, Riddle, Shelton, and Taylor - no) (126 - 18 - 1)

**SB 2423**

**HB 2668** (Sheffield - no) (143 - 1 - 1)

**HB 2677**

**HB 2690**

**HB 2708**

**HB 2799**

**HB 2826** (Phillips and Weber - no) (142 - 2 - 1)

**HB 2839**

**HB 2847**

**SB 2413** (Miklos - present, not voting) (143 - 0 - 2)

**SB 1303**

**HB 2884**

**SB 899**

**HB 2917**

**SB 1614**

**HB 3002**

**HB 3065**

**HB 3069**

**SB 1592**

**HB 3086**

**HB 3112**

**HB 3186**

**HB 3222**

**HB 3223** (Sheffield - no) (143 - 1 - 1)

**SB 1484**

**SB 1059**

**HB 3335**

**SB 1271**

**HB 3350**

**SB 1476** (Weber - no) (143 - 1 - 1)

**HB 3484** (Button, Chisum, Craddick, Crownover, Darby, Hunter, Keffer, Kleinschmidt, Kolkhorst, Legler, D. Miller, Parker, Phillips, Riddle, Shelton, Taylor, and Weber - no) (127 - 17 - 1)

**HB 3489**

**HB 3550** (Riddle - no) (143 - 1 - 1)

**HB 3669**

**HB 3682** (Aycock and Corte - no) (142 - 2 - 1)

**SB 1554**

**HB 3749** (Anderson, Button, Chisum, Craddick, Crownover, Flynn, Keffer, Kleinschmidt, D. Miller, Parker, Sheffield, Shelton, and Taylor ) (131 - 13 - 1)

**HB 3804**

**HB 3834**

**HB 3875**

**HB 3876**

**HB 4007**

**SB 1952**

**HB 4103**

**SB 1589** (Aycock and Darby - no) (142 - 2 - 1)

**SB 969**

**SB 1920**

**HB 4212**

**HB 4218**

**HB 4281**

**HB 4315** (Aycock and Shelton - no) (142 - 2 - 1)

**HB 4332**

**SB 1965**

**HB 4364**

**SB 1827**

**HB 4407**

**SB 2380**

**SB 1479**

**SB 1774**

**HB 4438**

**HB 4445**

**HB 4446** (Hunter, Riddle, and Shelton - no) (141 - 3 - 1)

**HB 4518**

**HB 4519**

**HB 4560**

**HB 4562**

**SB 2379**

**HB 4660**

**HB 4685**

**HB 4692**

**HB 4698**

**HB 4704**

**SB 534**

**HB 4710**

**HB 4711**

**SB 2455**

**HB 4715**

**SB 1464**

**SB 2470**

**HB 4719**

**HB 4724**

**HB 4735** (Button, Chisum, Keffer, Kleinschmidt, and D. Miller - no) (139 - 5 - 1)

**HB 4737**

**HB 4738** (Miklos - present, not voting) (143 - 0 - 2)

**SB 2473**

**SB 2472**

**HB 4750**

**HB 4751** (Miklos - present, not voting) (143 - 0 - 2)

**HB 4752**

**HB 4755**

**HB 4759**

**SB 2503**

**HB 4771**

**HB 4775**

**HB 4777**

**HB 4778**

**HB 4783**

**HB 4785**

**HB 4793**

**HB 4797**

**HB 4798**

**HB 4799**

**HB 4800**

**HB 4803**

**HB 4807**

**HB 4808**

**HB 4812**

**HB 4814**

**HB 4815**

**HB 4817**

**HB 4818**

**HB 4827**

**HB 4828**

**HB 4829**

**HB 4830**

**HB 4831**

**HB 2035**

**HB 2466**

**HB 3353** (Anderson, Aycock, Button, Corte, Flynn, Hilderbran, Hunter, Kleinschmidt, Kolkhorst, D. Miller, Riddle, and Shelton - no) (132 - 12 - 1)

**SB 1356**

**SB 2307** (T. King - no) (143 - 1 - 1)

**SB 1038**

**HB 4741**

**HB 4787**

**HB 1221 ON THIRD READING**  
**(by C. Howard)**

**HB 1221**, A bill to be entitled An Act relating to the provision of information by tax officials related to ad valorem tax rates.

**HB 1221** was read third time and was passed by (Record 876): 122 Yeas, 13 Nays, 5 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Aycock; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Chavez; Chisum; Christian; Cohen; Coleman; Corte; Crabb; Craddick; Creighton; Crownover; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Harless; Harper-Brown; Hartnett; Hernandez; Herrero; Hochberg; Hodge; Homer; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Lucio; Madden; Maldonado; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Merritt; Miller, D.; Miller, S.; Moody; Morrison; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Raymond; Riddle; Rios Ybarra; Ritter; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Castro; Darby; Eissler; Hardcastle; Heflin; Hilderbran; Hopson; Leibowitz; Miklos; Olivo; Quintanilla; Rodriguez; Villarreal.

Present, not voting — Mr. Speaker; Anchia; Bolton; Eiland(C); Strama.

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

Absent — Cook; Isett; Marquez; Menendez; Naishtat.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 876. I intended to vote yes.

Eissler

When Record No. 876 was taken, I was in the house but away from my desk. I would have voted yes.

Marquez

### HB 3419 ON THIRD READING (by Patrick)

**HB 3419**, A bill to be entitled An Act relating to the disclosure of criminal history record information regarding public school employees.

**HB 3419** was read third time and was passed by (Record 877): 107 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Branch; Brown, F.; Burnam; Button; Callegari; Chavez; Chisum; Christian; Cohen; Coleman; Corte; Craddick; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; England; Farabee; Farias; Farrar; Fletcher; Flores; Frost; Gallego; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hancock; Hardcastle; Harless; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Jones; Keffer; King, S.; King, T.; Kleinschmidt; Kolkhorst; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Oliveira; Olivo; Ortiz; Patrick; Peña; Phillips; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Zerwas.

Nays — Anderson; Bonnen; Brown, B.; Cook; Crabb; Creighton; Crownover; Eissler; Elkins; Flynn; Geren; Hamilton; Harper-Brown; Hartnett; Howard, C.; Hughes; Jackson; Kent; King, P.; Laubenberg; Legler; Leibowitz; Morrison; Orr; Otto; Parker; Paxton; Riddle; Shelton; Solomons; Taylor; Woolley.

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

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

Absent — Aycock; Castro; Isett; Naishtat.

**STATEMENTS OF VOTE**

When Record No. 877 was taken, I was in the house but away from my desk. I would have voted present, not voting.

Castro

I was shown voting yes on Record No. 877. I intended to vote no.

Peña

**HB 466 ON THIRD READING**  
(by Paxton)

**HB 466**, A bill to be entitled An Act relating to procedures relating to placement of a public school student in a disciplinary alternative education program.

**HB 466** was read third time and was passed by (Record 878): 136 Yeas, 5 Nays, 2 Present, not voting.

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

Nays — Anchia; Bolton; Leibowitz; Miklos; Riddle.

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

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

Absent — Isett; Naishtat.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 878. I intended to vote no.

Kent

I was shown voting no on Record No. 878. I intended to vote yes.

Leibowitz

**REGULAR ORDER OF BUSINESS SUSPENDED**

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

**HR 2159 - ADOPTED  
(by Bonnen)**

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 2159**.

The motion prevailed.

The following resolution was laid before the house:

**HR 2159**, Congratulating the Honorable D. R. "Tom" Uher of Bay City on his receipt of the Community Builder Award from Bay City Masonic Lodge No. 865.

**HR 2159** was adopted.

On motion of Representative Geren, the names of all the members of the house were added to **HR 2159** as signers thereof.

(Speaker in the chair)

**MAJOR STATE CALENDAR  
HOUSE BILLS  
THIRD READING**

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

**HB 3445 ON THIRD READING  
(by Anchia and Kolkhorst)**

**HB 3445**, A bill to be entitled An Act relating to requirements governing registration and authorized activities of certain lobbyists.

**HB 3445** was passed by (Record 879): 138 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycocock; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.;

Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Nays — Elkins; Fletcher; Merritt; Riddle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

Absent — Gonzales; Isett.

### STATEMENTS OF VOTE

When Record No. 879 was taken, I was in the house but away from my desk. I would have voted yes.

Gonzales

When Record No. 879 was taken, I was in the house but away from my desk. I would have voted yes.

Isett

### HB 4583 ON THIRD READING (by Pitts)

**HB 4583**, A bill to be entitled An Act relating to the creation and re-creation of funds and accounts in the state treasury, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.

#### Amendment No. 1

Representative Chisum offered the following amendment to **HB 4583**:

Amend **HB 4583** on third reading by adding the following section to the bill and by renumbering subsequent sections accordingly:

SECTION \_\_\_\_\_. HEALTH CARE ACCESS FUND IN THE TREASURY. Effective September 1, 2009, the health care access fund created by **HB 2154**, **HB 1876**, **SB 2527**, or similar legislation, and the revenue deposited to the credit of the health care access fund, are exempt from Section 2 of this Act and the health care access fund is created as a separate fund in the state treasury outside the general revenue fund.

Amendment No. 1 was adopted.

**HB 4583**, as amended, was passed by (Record 880): 140 Yeas, 1 Nays, 1 Present, not voting.

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

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

Nays — Howard, C.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

Absent — Isett; Riddle; Thompson.

### STATEMENT OF VOTE

When Record No. 880 was taken, I was in the house but away from my desk. I would have voted yes.

Riddle

### HB 2962 ON THIRD READING

(by Coleman, Dukes, Zerwas, J. Davis, Naishtat, et al.)

**HB 2962**, A bill to be entitled An Act relating to the administration and funding of and eligibility for the child health plan, medical assistance, and other programs.

#### Amendment No. 1

Representatives Coleman, Zerwas, J. Davis, and Naishtat offered the following amendment to **HB 2962**:

Amend **HB 2962** on third reading as follows:

(1) Strike SECTION 14 of the bill, added by Amendment No. 5 by Naishtat on second reading, amending Section 31.032(d), Human Resources Code (Second reading engrossment, page 16, line 10, through page 17, line 25).

(2) Strike SECTIONS 16 and 17 of the bill, added by Amendment No. 5 by Naishtat on second reading, adding Sections 32.0265 and 33.014, Human Resources Code (Second reading engrossment, page 19, line 7, through page 20, line 2).

(3) Strike SECTION 21 of the bill added by Amendment No. 6 by S. Turner on second reading (Second reading engrossment, page 22, line 23, through page 24, line 15).

(4) Renumber remaining SECTIONS of the bill accordingly.

Amendment No. 1 was adopted. (Giddings and S. Turner recorded voting no.)

**HB 2962**, as amended, was passed by (Record 881): 87 Yeas, 55 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Elkins; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Jackson; Keffer; Kent; King, S.; King, T.; Leibowitz; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Olivo; Ortiz; Patrick; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Strama; Thompson; Turner, C.; Turner, S.; Vaught; Veasey; Villarreal; Vo; Walle; Zerwas.

Nays — Anderson; Aycock; Bonnen; Branch; Brown, B.; Button; Callegari; Chisum; Christian; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Driver; Eissler; Fletcher; Flynn; Gattis; Hancock; Hardcastle; Harless; Harper-Brown; Howard, C.; Hughes; Isett; Jones; King, P.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; McCall; Miller, D.; Miller, S.; Morrison; Orr; Otto; Parker; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

Absent — Eiland; Thibaut.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 881. I intended to vote no.

Madden

When Record No. 881 was taken, I was in the house but away from my desk. I would have voted yes.

Thibaut

#### 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).

#### COMMITTEE GRANTED PERMISSION TO MEET

Representative McReynolds requested permission for the Committee on Corrections to meet while the house is in session, at 4 p.m. today, in 3W.9, for a formal meeting, to consider pending business.

Permission to meet was granted.

## COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Corrections, 4 p.m. today, 3W.9, for a formal meeting, to consider pending business.

### HB 3676 ON THIRD READING

(by Heflin, Swinford, Strama, Kolkhorst, and Gallego)

**HB 3676**, A bill to be entitled An Act relating to the Texas Economic Development Act.

**HB 3676** was passed by (Record 882): 143 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

Absent — Truitt.

### HB 2942 ON THIRD READING

(by Dunnam, Crownover, Coleman, S. Turner, and Gattis)

**HB 2942**, A bill to be entitled An Act relating to fiscal accountability and transparency in government operations by providing for effective legislative oversight; providing penalties.

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

Representative Dunnam offered the following amendment to **HB 2942**:

Amend **HB 2942** on third reading in SECTION 2.24 (proposed Section 321.0191(b), Government Code) between "not" and "produce" be inserting "; without good case,".

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Dunnam offered the following amendment to **HB 2942**:

Amend **HB 2942** on third reading as follows:

(1) In proposed Section 321.003, Government Code, strike "and every 12th year after that year are reviewed".

(2) In proposed Section 322.002, Government Code, strike "and every 12th year after that year are reviewed".

(3) In proposed Section 323.002, Government Code, strike "and every 12th year after that year are reviewed".

(4) In proposed Section 324.003, Government Code, strike "and every 12th year after that year are reviewed".

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Gattis offered the following amendment to **HB 2942**:

Amend **HB 2942** on third reading as follows:

(1) In the INSPECTOR GENERAL ARTICLE added by Amendment No. 4 by Gattis, strike added Section 422.151(b)(3), Government Code (page 10, lines 10 through 12 of the amendment), and substitute the following:

(3) maximizing opportunities for referral of cases to the appropriate authorities.

(2) In the INSPECTOR GENERAL ARTICLE added by Amendment No. 4 by Gattis, strike added Section 422.153(c)(3), Government Code (page 11, lines 29 through 30 of the amendment), and substitute the following:

(3) maximizing opportunities for referral of cases to the appropriate authorities.

(3) In the INSPECTOR GENERAL ARTICLE added by Amendment No. 4 by Gattis, strike added Section 422.160, Government Code (page 13, line 20 through page 15, line 25 of the amendment), and substitute the following:

Sec. 422.160. INTERAGENCY COORDINATION. (a) The office may develop and implement written procedures for coordinating reviews of suspected fraud, waste, or abuse, as those terms are defined by state or federal law, or other violations of state or federal law under programs at an agency for which a deputy inspector general is appointed or in programs at any agency receiving state or federal funds that are implemented, administered, or overseen by the agency.

(b) An exchange of any information under this section between the office and appropriate authorities does not subject the exchange of the information or the information to disclosure under Chapter 552.

(4) In the INSPECTOR GENERAL ARTICLE added by Amendment No. 4 by Gattis, strike added Section 422.209, Government Code (page 19, lines 10 through 31 of the amendment), and substitute the following:

Sec. 422.209. REFERRAL OF CRIMINAL, CIVIL, AND ADMINISTRATIVE MATTERS. (a) The inspector general may provide information and evidence relating to criminal acts to the state auditor's office and appropriate law enforcement officials.

(b) The inspector general shall refer matters for further criminal action in the same manner as the state auditor refers criminal matters under Chapter 321.

(c) The inspector general shall refer matters for further civil and administrative action in the same manner as the state auditor refers civil and administrative matters under Chapter 321.

(d) The office may assist appropriate authorities with their administrative, civil, or criminal investigations if the assistance is requested by the appropriate authorities.

(e) An appropriate authority that decides not to investigate or prosecute a complaint alleging criminal conduct referred to that authority by the inspector general shall notify the inspector general of that decision.

(5) In the INSPECTOR GENERAL ARTICLE added by Amendment No. 4 by Gattis, strike added Section 422.303(c)(1), Government Code (page 27, lines 10 through 15 of the amendment), and substitute the following:

(1) if a provider is suspected of fraud involving criminal conduct, the office must refer the case under Section 422.209, provided that the criminal referral does not preclude the office from continuing its investigation of the provider or preclude the imposition of appropriate administrative or civil sanctions; or

(6) In the INSPECTOR GENERAL ARTICLE added by Amendment No. 4 by Gattis, strike added Section 422.304, Government Code (page 27, lines 19 through 29 of the amendment), and substitute the following:

Sec. 422.304. IMMEDIATE REFERRAL OF MEDICAID FRAUD. (a) At the time the office learns or has reason to suspect that a health or human services provider's records related to participation in the state Medicaid program are being withheld, concealed, destroyed, fabricated, or in any way falsified, the office shall immediately refer the case as provided in Section 422.209.

(b) A criminal referral under Subsection (a) does not preclude the office from continuing its investigation of a health or human services provider or the imposition of appropriate administrative or civil sanctions.

(7) In the INSPECTOR GENERAL ARTICLE added by Amendment No. 4 by Gattis, strike added Section 422.451(a), Government Code (page 29, lines 23 through 26 of the amendment), and substitute the following:

(a) The office may request that the appropriate authorities obtain an injunction to prevent a person from disposing of an asset identified by the office as potentially subject to recovery by the office due to the person's fraud, waste, or abuse.

Amendment No. 3 was adopted.

**HB 2942**, as amended, was passed by (Record 883): 141 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts.

Absent — Brown, B.; Eiland; Kent.

#### STATEMENT OF VOTE

When Record No. 883 was taken, my vote failed to register. I would have voted yes.

Kent

#### LEAVE OF ABSENCE GRANTED

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

S. Turner on motion of Giddings.

#### HB 3206 ON THIRD READING

(by Edwards, et al.)

**HB 3206**, A bill to be entitled An Act relating to the implementation of the exemption from ad valorem taxation for pollution control property.

**HB 3206** was passed by (Record 884): 140 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Anderson; Jackson; Quintanilla.

### LEAVE OF ABSENCE GRANTED

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

Bohac on motion of Madden.

### HB 2511 ON THIRD READING (by T. Smith, Anchia, Merritt, and McCall)

**HB 2511**, A bill to be entitled An Act relating to political contributions and expenditures; providing criminal penalties.

#### Amendment No. 1

Representative Dunnam offered the following amendment to **HB 2511**:

Amend **HB 2511** on third reading as follows

(1) On page 5 of the Dunnam amendment, strike lines 10-14 and substitute:  
SECTION \_\_\_\_\_. Section 302.017, Government Code, is redesignated as Section 302.0171, and the heading to that section is amended to read as follows:

Sec. 302.0171 ~~[302.017]~~. CONTRIBUTION AND LOANS FROM AND EXPENDITURES BY ORGANIZATIONS.

SECTION \_\_\_\_\_. Section 302.0171, Government Code, as redesignated by this Act, is amended

(2) On page 6 of the Dunnam amendment, strike lines 8-10 and substitute the following:

SECTION \_\_\_\_\_. Section 302.019, Government Code, is redesignated as Section 302.0191, Government Code.

SECTION \_\_\_\_\_. Section 302.0191, Government Code, as redesignated by this Act, is amended by amending Subsections (a), (b), and (c), and adding Subsections (a-1), (d), and (e) to read as follows:

(3) On page 7 of the Dunnam amendment, between lines 6 and 7, insert the following:

~~[(c) Except as provided by Subsections (a) and (b), all campaign expenditures must be made by the speaker candidate from campaign funds.]~~

(4) On page 12, of the Dunnam amendment, line 24, strike "Sections 302.019(c) and" and substitute "Section".

(5) On page 2 of the Hilderbran amendment, strike the text beginning on page 1, line 23, through and including page 2, line 13.

Amendment No. 1 was withdrawn.

**HB 2511 - POINT OF ORDER**

Representative P. King raised a point of order against further consideration of **HB 2511** under Rule 8, Section 3 of the House Rules on the grounds that the bill violates the one subject rule.

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

Representative P. King raises a point of order against further consideration of **HB 2511** under Rule 8, Section 3 of the House Rules and Article III, Section 35 of the Texas Constitution in that the bill contains more than one subject.

While these provisions clearly require the legislature to be mindful, the standard for finding a violation of the one-subject rule is very high; courts typically find violations of the one-subject rule only when there is no conceivable single subject that describes all of the elements of the bill. (House Journal, 76th Regular Session (1997), page 2912; House Journal, 77th Regular Session (1999))

The chair has reviewed house rulings on this issue over the last 30 years and has found very few instances in which such a point of order was sustained, a likely result of the very high standard for finding a violation of the rule.

In this instance, the chair believes that **HB 2511** is capable of a constitutional construction because each element relates to political contributions and expenditures and would so be construed by a court. In short, **HB 2511** is a very broad, omnibus bill that embraces a variety of issues relating to such. Thus, the amendments that were offered on second reading and passed to engrossment were consistent with the subject matter of the bill and not an expansion of the bill.

Accordingly, the point of order is respectfully overruled.

(Geren in the chair)

Representative T. Smith moved to postpone consideration of **HB 2511** until 4:15 p.m. today.

The motion prevailed.

**HB 2828 ON THIRD READING**

(by Menendez, Paxton, Hilderbran, Villarreal, Oliveira, et al.)

**HB 2828**, A bill to be entitled An Act relating to the ad valorem taxation of property used to provide low-income or moderate-income housing.

**HB 2828** was passed by (Record 885): 117 Yeas, 22 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Cohen; Coleman; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Elkins; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Jackson; Jones; Keffer; Kent; King, S.; King, T.; Kolkhorst; Legler;

Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Patrick; Paxton; Peña; Phillips; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle; Zerwas.

Nays — Anderson; Brown, F.; Button; Chisum; Christian; Cook; Eissler; Fletcher; Flynn; Harper-Brown; Howard, C.; Hunter; Isett; King, P.; Kleinschmidt; Laubenberg; Miller, S.; Morrison; Parker; Riddle; Shelton; Weber.

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

Absent, Excused — Berman; Bohac; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Eiland; Woolley.

### HB 498 ON THIRD READING

(by McClendon, Thompson, Gallego, Hodge, Pierson, et al.)

**HB 498**, A bill to be entitled An Act relating to the creation of a commission to investigate and prevent wrongful convictions.

#### Amendment No. 1

Representative McClendon offered the following amendment to **HB 498**:

Amend **HB 498** (house committee printing) as follows:

(1) On page 2, lines 2 and 3, strike "The University of Texas System" and substitute "the Texas Tech University System".

(2) On page 4, line 5, strike "The University of Texas at Austin" and substitute "the Texas Tech University System".

Amendment No. 1 was adopted.

**HB 498**, as amended, was passed by (Record 886): 87 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bolton; Branch; Burnam; Castro; Chavez; Cohen; Coleman; Cook; Crownover; Darby; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eissler; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gattis; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Hunter; Jackson; Jones; Keffer; Kent; King, T.; Kolkhorst; Leibowitz; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Ortiz; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Strama; Thibaut; Thompson; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle; Zerwas.

Nays — Anderson; Aycok; Bonnen; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Corte; Crabb; Craddick; Creighton; Davis, J.; Elkins; Fletcher; Flynn; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett;

Howard, C.; Isett; King, P.; King, S.; Kleinschmidt; Laubenberg; Legler; Lewis; Madden; Miller, S.; Morrison; Orr; Otto; Parker; Patrick; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Weber; Woolley.

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

Absent, Excused — Berman; Bohac; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Driver; Eiland; Hamilton.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 886. I intended to vote no.

Keffer

### POSTPONED BUSINESS

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

#### HB 2511 ON THIRD READING

(by T. Smith, Anchia, Merritt, McCall, and Strama)

**HB 2511**, A bill to be entitled An Act relating to political contributions and expenditures; providing criminal penalties.

**HB 2511** was read third time earlier today, an amendment was offered and disposed of, and **HB 2511** was postponed until this time.

#### Amendment No. 2

Representative P. King offered the following amendment to **HB 2511**:

Amend **HB 2511** by striking SECTION 8 from the bill and insert the following appropriately numbered SECTIONS and renumber the remaining SECTIONS accordingly.

SECTION \_\_\_\_\_. Section 253.100, Election Code, is amended by amending Subsections (a) and (c) and adding Subsections (d) and (e) to read as follows:

(a) A corporation, acting alone or with one or more other corporations, may make one or more political expenditures to finance the establishment or administration of a general-purpose committee. In addition to any other expenditure that is considered permissible under this section, a corporation may make an expenditure for the maintenance and operation of a general-purpose committee, including an expenditure for:

(1) office space maintenance and repairs;

(2) telephone and Internet services;

(3) office equipment;

(4) utilities;

(5) general office and meeting supplies;

(6) salaries for routine clerical, data entry, and administrative assistance necessary for the proper administrative operation of the committee;

(7) legal and accounting fees for the committee's compliance with this title;

(8) routine administrative expenses incurred in establishing and administering a general-purpose political committee;

(9) management and supervision of the committee, including expenses incurred in holding meetings of the committee's governing body to interview candidates and make endorsements relating to the committee's support;

(10) the recording of committee decisions;

(11) expenses incurred in hosting candidate forums in which all candidates for a particular office in an election are invited to participate on the same terms; or

(12) expenses incurred in preparing and delivering committee contributions.

(c) A labor organization may engage in activity authorized for a corporation by this section [~~Subsections (a) and (b)~~]. For purposes of this section, the members of a labor organization are considered to be corporate stockholders.

(d) A corporation or labor organization may not make expenditures under this section for:

(1) political consulting to support or oppose a candidate;

(2) telephoning or telephone banks to communicate with the public;

(3) brochures and direct mail supporting or opposing a candidate;

(4) partisan voter registration and get-out-the-vote drives;

(5) political fund-raising;

(6) voter identification efforts, voter lists, or voter databases that include persons other than its stockholders or members, as applicable, or the families of its stockholders or members;

(7) polling designed to support or oppose a candidate other than of its stockholders or members, as applicable, or the families of its stockholders or members; or

(8) recruiting candidates.

(e) Subsection (d) does not apply to a corporation or labor organization making an expenditure to communicate with its stockholders or members, as applicable, or with the families of its stockholders or members as provided by Section 253.098.

SECTION \_\_\_\_\_. The change in law made by this Act applies only to a political expenditure made under Section 253.100, Election Code, as amended by this Act, on or after the effective date of this Act. A political expenditure made under Section 253.100, Election Code, before the effective date of this Act is governed by the law in effect at the time the expenditure is made, and the former law is continued in effect for that purpose.

SECTION \_\_\_\_\_. 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, 2009.

Amendment No. 2 was adopted.

### **Amendment No. 3**

Representative Hartnett offered the following amendment to **HB 2511**:

Amend **HB 2511** on third reading, in SECTION 1 of the bill, by striking added Section 251.001(23), Election Code, and substituting the following:

(23) "Electioneering communication" means a communication that if taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as an appeal to vote for or against one or more clearly identified candidates or ballot measures. Any reasonable doubt must be resolved in favor of permitting the communication. The term does not include a communication that:

(A) exclusively discusses a legislative, judicial, or executive matter or issue;

(B) urges an officeholder to take a particular position or action regarding a matter or issue or urges the public to adopt a particular position and to contact an officeholder regarding the matter or issue;

(C) does not mention an election, candidacy, political party, opposing candidate, or voting by the general public; and

(D) does not take a position on any candidate's or officeholder's character, qualifications, or fitness for office.

Amendment No. 3 was adopted. (The vote was reconsidered later today, and Amendment No. 3 was withdrawn.)

#### **Amendment No. 4**

Representative Dunnam offered the following amendment to **HB 2511**:

Amend **HB 2511** on third reading as follows:

(1) On page 5 of the Dunnam amendment, strike lines 10-14 and substitute:  
SECTION \_\_\_\_\_. Section 302.017, Government Code, is redesignated as Section 302.0171, and the heading to that section is amended to read as follows:

Sec. 302.0171 ~~[302.017]~~. CONTRIBUTION AND LOANS FROM AND EXPENDITURES BY ORGANIZATIONS.

SECTION \_\_\_\_\_. Section 302.0171, Government Code, as redesignated by this Act, is amended

(2) On page 6 of the Dunnam amendment, strike lines 8-10 and substitute the following:

SECTION \_\_\_\_\_. Section 302.019, Government Code, is redesignated as Section 302.0191, Government Code.

SECTION \_\_\_\_\_. Section 302.0191, Government Code, as redesignated by this Act, is amended by amending Subsections (a), (b), and (c), and adding Subsections (a-1), (d), and (e) to read as follows:

(3) On page 7 of the Dunnam amendment, between lines 6 and 7, insert the following:

~~[e) Except as provided by Subsections (a) and (b), all campaign expenditures must be made by the speaker candidate from campaign funds.]~~

(4) On page 12, of the Dunnam amendment, line 24, strike "Sections 302.019(c) and" and substitute "Section".

(5) On page 2 of the Hilderbran amendment, strike the text beginning on page 1, line 23, through and including page 2, line 13.

Amendment No. 4 was adopted.

### **Amendment No. 5**

Representative Woolley offered the following amendment to **HB 2511**:

Amend **HB 2511** by striking all below the enacting clause and substituting the following:

SECTION 1. (a) The presiding officer of each legislative standing committee with primary jurisdiction over ethics issues shall conduct an interim study on the regulation of:

- (1) expenditures on electioneering communications;
- (2) administrative expenditures in connection with political activity by corporations, labor organizations, and membership organizations; and
- (3) direct campaign expenditures by individuals.

(b) This section expires January 1, 2011.

SECTION 2. 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, 2009.

Amendment No. 5 failed of adoption by (Record 887): 58 Yeas, 81 Nays, 1 Present, not voting.

Yeas — Anderson; Aycock; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Chisum; Christian; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Eissler; Elkins; Fletcher; Flynn; Gattis; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Howard, C.; Hughes; Jackson; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Madden; Miller, S.; Morrison; Orr; Otto; Parker; Patrick; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Weber; Woolley; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Bolton; Burnam; Button; Castro; Chavez; Cohen; Coleman; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Isett; Jones; Keffer; Kent; King, T.; Leibowitz; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Oliveira; Olivo; Ortiz; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, T.; Strama; Thibaut; Thompson; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Bohac; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Corte; Eiland; Hilderbran.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 887. I intended to vote yes.

Button

I was shown voting no on Record No. 887. I intended to vote yes.

Hunter

I was shown voting no on Record No. 887. I intended to vote yes.

D. Miller

### LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Ways and Means:

Hilderbran on motion of Oliveira.

### HB 2511 - (consideration continued)

#### Amendment No. 3 - Vote Reconsidered

Representative Hartnett moved to reconsider the vote by which Amendment No. 3 was adopted.

The motion to reconsider prevailed.

Amendment No. 3 was withdrawn.

#### Amendment No. 6

Representative Hartnett offered the following amendment to **HB 2511**:

Amend **HB 2511** on third reading, in SECTION 1 of the bill, by striking added Section 251.001(23), Election Code, and substituting the following:

(23) "Electioneering communication" means a communication that if taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as an appeal to vote for or against one or more clearly identified candidates or ballot measures. Any reasonable doubt must be resolved in favor of permitting the communication. The term does not include a communication that:

(A) either:

(i) discusses a legislative, judicial, or executive matter or issue;

or

(ii) urges an officeholder to take a particular position or action regarding a matter or issue or urges the public to adopt a particular position and to contact an officeholder regarding the matter or issue;

(B) does not mention an election, candidacy, political party, opposing candidate, or voting by the general public; and

(C) does not take a position on any candidate's or officeholder's character, qualifications, or fitness for office.

Amendment No. 6 was adopted.

Representative P. King moved to extend speaking time on **HB 2511**.

The motion to extend time prevailed by (Record 888): 78 Yeas, 56 Nays, 1 Present, not voting.

Yeas — Anchia; Anderson; Aycock; Bonnen; Branch; Brown, B.; Button; Callegari; Chavez; Chisum; Christian; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Deshotel; Driver; Eissler; Elkins; England; Flynn; Gattis; Gonzales; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Herrero; Homer; Howard, C.; Howard, D.; Hughes; Hunter; Jackson; Keffer; Kent; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Madden; McCall; McReynolds; Miller, D.; Miller, S.; Morrison; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Rios Ybarra; Ritter; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thompson; Truitt; Turner, C.; Vaught; Vo; Weber; Zerwas.

Nays — Allen; Alonzo; Alvarado; Bolton; Brown, F.; Burnam; Castro; Cohen; Coleman; Davis, Y.; Dukes; Dunnam; Edwards; Eiland; Farabee; Farias; Farrar; Fletcher; Flores; Gallego; Geren; Giddings; Gonzalez Toureilles; Guillen; Gutierrez; Heflin; Hernandez; Hochberg; Hodge; Hopson; Isett; King, T.; Leibowitz; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McClendon; Merritt; Miklos; Moody; Naishtat; Olivo; Quintanilla; Raymond; Riddle; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Thibaut; Veasey; Villarreal; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Bohac; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent, Excused, Committee Meeting — Hilderbran.

Absent — Corte; Dutton; Frost; Jones; Menendez; Pickett; Woolley.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 888. I intended to vote yes.

Farabee

I was shown voting yes on Record No. 888. I intended to vote no.

Kent

### HB 2511 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE PAXTON: Todd, would you explain to me who's covered? I think it was labor unions, corporations, and you've got this term, "membership organization." What exactly is "membership organization?"

REPRESENTATIVE T. SMITH: You can read the language in the bill as well as I can. We're not changing current law in terms of—

PAXTON: Membership organization is a new term defined in here, which I think would cover a lot of organizations now not covered including, maybe, the Farm Bureau?

T. SMITH: You know, there are a million different—

PAXTON: Texas Rifle Association?

T. SMITH: I don't know.

PAXTON: I think they would all be covered.

T. SMITH: Any trade association, cooperative, or corporation without capital stock that is composed of members—some or all of whom are vested with the authority to operate—it's in the bill?

PAXTON: Yeah, I think we're talking about thousands of new organizations restricted by this bill. Let me ask you this—

T. SMITH: They're not restricted.

PAXTON: Are limited liability companies covered by this?

T. SMITH: I don't believe so because they haven't been for a hundred years.

PAXTON: Alright, they're not covered. What about limited partnerships?

T. SMITH: I don't believe any partnership is covered in this bill because they haven't been for a hundred years.

PAXTON: Are limited liability partnerships covered?

T. SMITH: Same answer.

PAXTON: Okay, you realize that most law firms are limited liability partnerships. They would not be covered by this bill?

T. SMITH: As are engineering firms, architects, insurance agents, doctors, professionals across the board.

PAXTON: You're exactly right, but it seems odd to me that the Farm Bureau is covered by this, but we don't have law firms and other entities that you're talking about. There's a lot of loopholes in this bill.

T. SMITH: My understanding of the corporate entities that are included, and not included, is that it is precisely pursuant to current law.

PAXTON: Well, I understand that, but you're changing current law and you've pulled in thousands of new non—

T. SMITH: My understanding is whatever changes are in this legislation are simply reflecting current law in that regard.

PAXTON: But that's not true, you've got a new definition that says "membership organization"—it includes Farm Bureau, Texas Rifle Association, National Organization for Women. It includes thousands of new organizations and yet, the law firms, the architectural firms—they're not included in this. I don't understand that.

T. SMITH: Let me tell you why.

PAXTON: It seems like there's a lot of loopholes in this.

T. SMITH: That is an attempt to divert from what is really intended. The presumption in partnerships is that these people are involved in the decision to determine where to contribute political money. When you have a corporation, your typically smaller operations involving professionals across the state—again we're not changing anything, this is current law, we prohibit—

PAXTON: You are changing something. Membership organizations can include the Farm Bureau, thousands of new organizations that were not covered by this are now being covered, and yet you're not covering law firms, you're not covering a lot of these other entities, and, let me ask you this, how are you set up? Are you a PC? Are you an LOC?

T. SMITH: I am a sole proprietor.

PAXTON: Okay, well most law firms are not. And you wouldn't be covered by this either, but you're including a lot of organizations—

T. SMITH: As wouldn't any other sole proprietor in this state.

PAXTON: Todd, it just seems like there's a lot of loopholes in this that concern me. You're covering entities that probably shouldn't be covered, and you're leaving out other entities.

T. SMITH: In the extent that there are loopholes, there are loopholes that have been existing in the law for a hundred years, and let me answer your question. The reason that we prohibit corporate contributions in campaigns, and union contributions, is to protect the first amendment rights of the shareholders and the employees of those companies, so that their money is not used for political purposes that they disagree with. But what we do allow them to do is create a pact with the corporation by which their shareholders and their employees can make individual contributions they choose to make, and that money can be used for any political purpose. With regard to the partnerships, I think the policy decision over a hundred years has been that's just not likely to be a problem with that sort of association. That's different from a corporation.

PAXTON: You're saying that we should cover the Farm Bureau, but not law partnerships?

T. SMITH: I don't know what all operations are included within current law and which ones are not, but my understanding is we're not changing that.

PAXTON: Have you looked?

T. SMITH: My understanding is we're not changing it.

PAXTON: You are changing it. I'm reading it—membership organizations. If you look at how this is defined, you are now covering the Farm Bureau, but you are not covering law firms.

T. SMITH: This bill has been through the process of a committee hearing. It's been through the entire process and nobody until this minute has ever expressed a concern about that particular provision. There were people in my office, a dozen of them yesterday, expressing concerns, and that was not one of them. I don't believe this law changes that particular issue.

PAXTON: I would ask that this be reduced to writing.

T. SMITH: The Farm Bureau has not testified on the bill.

PAXTON: But they are covered.

### REMARKS ORDERED PRINTED

Representative Paxton moved to print remarks between Representative T. Smith and Representative Paxton.

The motion prevailed.

**HB 2511**, as amended, was passed by (Record 889): 71 Yeas, 63 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bolton; Burnam; Chavez; Cohen; Coleman; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Geren; Giddings; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Jones; Kent; King, T.; Leibowitz; Lucio; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Olivo; Ortiz; Peña; Pickett; Quintanilla; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, T.; Strama; Thibaut; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle.

Nays — Anderson; Aycock; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Eissler; Elkins; Fletcher; Flynn; Gattis; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Howard, C.; Hughes; Hunter; Isett; Jackson; Keffer; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Madden; Miller, D.; Miller, S.; Morrison; Orr; Otto; Parker; Patrick; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Bohac; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent, Excused, Committee Meeting — Hilderbran.

Absent — Castro; Driver; Edwards; Eiland; Maldonado; Raymond; Thompson.

### STATEMENTS OF VOTE

When Record No. 889 was taken, I was in the house but away from my desk. I would have voted yes.

Castro

When Record No. 889 was taken, my vote failed to register. I would have voted yes.

Eiland

When Record No. 889 was taken, I was in the house but away from my desk. I would have voted yes.

Maldonado

When Record No. 889 was taken, I was in the house but away from my desk. I would have voted yes.

Thompson

(Oliveira in the chair)

**MAJOR STATE CALENDAR  
SENATE BILLS  
THIRD READING**

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

**SB 1011 ON THIRD READING  
(Harper-Brown - House Sponsor)**

**SB 1011**, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on Fire Protection.

**SB 1011** was passed by (Record 890): 137 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — King, T.

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Bohac; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent, Excused, Committee Meeting — Hilderbran.

Absent — Aycok; Dutton; Eiland.

### STATEMENT OF VOTE

When Record No. 890 was taken, I was in the house but away from my desk. I would have voted yes.

Aycock

#### SB 98 ON THIRD READING

**(Lucio, Martinez, Peña, Oliveira, Rios Ybarra, et al. - House Sponsors)**

**SB 98**, A bill to be entitled An Act relating to establishing a health science center and medical school in South Texas.

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

Representative Gonzalez Toureilles offered the following amendment to **SB 98**:

Amend **SB 98** (house committee printing) on page 1, line 19, by striking "Brooks, Cameron, Hidalgo, Jim Hogg" and substituting "Bee, Brooks, Cameron, Hidalgo, Jim Hogg, Jim Wells".

Amendment No. 1 was adopted.

**SB 98**, as amended, was passed by (Record 891): 137 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Bohac; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent, Excused, Committee Meeting — Hilderbran.

Absent — Dutton; Laubenberg; Rose; Shelton.

### STATEMENT OF VOTE

When Record No. 891 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

### LEAVE OF ABSENCE GRANTED

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

Giddings on motion of Dukes.

(Bohac and Hilderbran now present)

### GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

#### HB 3201 ON THIRD READING (by P. King)

**HB 3201**, A bill to be entitled An Act relating to the designation of certain fire marshals and related officers, inspectors, and investigators as peace officers.

**HB 3201** was passed by (Record 892): 138 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Farrar; Legler; Leibowitz.

**HB 55 ON THIRD READING**  
**(by Branch, Menendez, and Bolton)**

**HB 55**, A bill to be entitled An Act relating to an offense of using a wireless communication device while operating a motor vehicle.

**HB 55** was passed by (Record 893): 106 Yeas, 32 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Button; Callegari; Castro; Chavez; Chisum; Cohen; Coleman; Cook; Crabb; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Edwards; Eiland; England; Farabee; Farias; Flores; Frost; Gallego; Gattis; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; Kleinschmidt; Leibowitz; Lewis; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira(C); Olivo; Ortiz; Parker; Patrick; Peña; Pickett; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Thibaut; Thompson; Truitt; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle; Woolley; Zerwas.

Nays — Anderson; Aycock; Bonnen; Christian; Corte; Craddick; Creighton; Darby; Eissler; Elkins; Fletcher; Flynn; Geren; Harless; Harper-Brown; Hartnett; Hilderbran; Howard, C.; King, T.; Kolkhorst; Laubenberg; Legler; Madden; Merritt; Miller, S.; Orr; Otto; Paxton; Phillips; Sheffield; Taylor; Weber.

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Crownover; Dutton; Farrar; Hughes.

**STATEMENT OF VOTE**

When Record No. 893 was taken, my vote failed to register. I would have voted no.

Hughes

**HB 1326 ON THIRD READING**  
**(by Rios Ybarra, et al.)**

**HB 1326**, A bill to be entitled An Act relating to a plan to replenish the food supplies of food banks or food pantries following a disaster.

**HB 1326** was passed by (Record 894): 139 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Farrar; Jackson.

### **HB 358 ON THIRD READING**

**(by Flynn)**

**HB 358**, A bill to be entitled An Act relating to criminal offenses applicable to gambling and gambling devices.

**HB 358** was passed by (Record 895): 138 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Farrar; Jackson; Truitt.

### **HB 206 ON THIRD READING**

**(by Jackson, Harper-Brown, Kent, Anchia, J. Davis, et al.)**

**HB 206**, A bill to be entitled An Act relating to the on-premises consumption of certain alcoholic beverages; providing a penalty.

**HB 206** was passed by (Record 896): 140 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Farrar.

### **HB 464 ON THIRD READING**

**(by Paxton, Hughes, Taylor, Laubenberg, et al.)**

**HB 464**, A bill to be entitled An Act relating to the preparation by the Legislative Budget Board of a dynamic fiscal impact statement for certain bills and joint resolutions affecting taxes and fees.

**HB 464** was passed by (Record 897): 139 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Farrar; Villarreal.

**HB 489 ON THIRD READING**  
(by Pickett)

**HB 489**, A bill to be entitled An Act relating to the authority of a county or municipality to remove graffiti from private property at the owner's expense.

**HB 489** was passed by (Record 898): 92 Yeas, 48 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Crownover; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Edwards; Eiland; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hancock; Harless; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Olivo; Ortiz; Otto; Patrick; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Solomons; Strama; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle.

Nays — Anderson; Aycock; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Cook; Corte; Crabb; Craddick; Creighton; Darby; Eissler; Elkins; Fletcher; Flynn; Gattis; Geren; Hamilton; Hardcastle; Harper-Brown; Hilderbran; Howard, C.; Hughes; Isett; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Leibowitz; Lewis; Miller, S.; Orr; Parker; Paxton; Phillips; Riddle; Sheffield; Smith, W.; Smithee; Swinford; Weber; Woolley; Zerwas.

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

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 898. I intended to vote no.

Harless

I was shown voting yes on Record No. 898. I intended to vote no.

Hunter

I was shown voting yes on Record No. 898. I intended to vote no.

D. Miller

I was shown voting yes on Record No. 898. I intended to vote no.

Patrick

I was shown voting yes on Record No. 898. I intended to vote no.

Solomons

I was shown voting yes on Record No. 898. I intended to vote no.

Truitt

### HB 518 ON THIRD READING

(by Kolkhorst, Sheffield, Gonzalez Toureilles, and Hodge)

**HB 518**, A bill to be entitled An Act relating to a pilot program to provide student loan repayment assistance to certain correctional officers who graduate from Sam Houston State University or certain other institutions of higher education.

**HB 518** was passed by (Record 899): 137 Yeas, 4 Nays, 1 Present, not voting.

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

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

Nays — Laubenberg; Legler; Riddle; Truitt.

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 899. I intended to vote no.

F. Brown

### HB 534 ON THIRD READING (by Anchia and Thibaut)

**HB 534**, A bill to be entitled An Act relating to the liability of certain obligors under a residential lease.

**HB 534** was passed by (Record 900): 140 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Hunter.

**STATEMENT OF VOTE**

When Record No. 900 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

**HB 1976 ON THIRD READING**  
**(by Solomons, Martinez Fischer, et al.)**

**HB 1976**, A bill to be entitled An Act relating to the operation of property owners' associations.

**HB 1976 - POINT OF ORDER**

Representative S. Miller raised a point of order against further consideration of **HB 1976** under Article III, Section 35 of the Texas Constitution on the grounds that the bill violates the one subject rule.

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

Representative S. Miller raises a point of order against further consideration of **HB 1976** under Rule 8, Section 3 of the House Rules and Article III, Section 35 of the Texas Constitution in that the bill contains more than one subject.

While these provisions clearly require the legislature to be mindful, the standard for finding a violation of the one-subject rule is very high; courts typically find violations of the one-subject rule only when there is no conceivable single subject that describes all of the elements of the bill. (House Journal, 76th Regular Session (1997), page 2912; House Journal, 77th Regular Session (1999))

The chair has reviewed House rulings on this issue over the last 30 years and has found very few instances in which such a point of order was sustained, a likely result of the very high standard for finding a violation of the rule.

In this instance, the chair believes that **HB 1976** is capable of a constitutional construction because each element relates to the management of property owners' associations. The bill is broad in its scope of coverage and as such is a sort of omnibus bill covering property owners' associations. Condominiums are a form of property and thus amendments to the equivalent management associations constitute the same subject as contained in the rest of the bill. In fact, several sections of the bill already apply to condominiums. The changes made in **HB 1976** to Chapter 202, Property Code (SECTIONS 3, 4, 5, and 6 of the floor substitute offered by Representative Solomons), apply to condominiums and their management associations, through the definitions contained in Sections 202.001(1) and (2), Property Code. Though Chapter 209, Property Code, and the changes proposed to it in the bill do not apply to condominiums regulated under Chapter 82, Property Code, this does not affect the analysis of whether the bill constitutes a single subject in this case.

Accordingly, the point of order is respectfully overruled.

**HB 1976** was passed by (Record 901): 98 Yeas, 33 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Coleman; Corte; Crabb; Davis, J.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Flores; Frost; Gattis; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hancock; Hartnett; Heflin; Hernandez; Herrero; Hodge; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; Kent; King, S.; Leibowitz; Lewis; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira(C); Olivo; Orr; Ortiz; Otto; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Shelton; Smith, T.; Smithee; Solomons; Strama; Swinford; Thompson; Truitt; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle; Woolley; Zerwas.

Nays — Anderson; Aycocock; Button; Christian; Cook; Craddick; Creighton; Darby; Fletcher; Flynn; Gallego; Hamilton; Hardcastle; Hilderbran; Hochberg; Howard, C.; Hunter; King, P.; King, T.; Kleinschmidt; Kolkhorst; Legler; Madden; Miller, D.; Miller, S.; Morrison; Parker; Patrick; Phillips; Riddle; Sheffield; Smith, W.; Weber.

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Cohen; Crownover; Davis, Y.; Driver; Geren; Harless; Harper-Brown; Laubenberg; Paxton; Taylor; Thibaut.

#### STATEMENTS OF VOTE

I was shown voting yes on Record No. 901. I intended to vote no.

F. Brown

When Record No. 901 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. 901. I intended to vote no.

S. King

When Record No. 901 was taken, my vote failed to register. I would have voted no.

Paxton

When Record No. 901 was taken, I was in the house but away from my desk. I would have voted no.

Taylor

When Record No. 901 was taken, I was in the house but away from my desk. I would have voted present, not voting.

Thibaut

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

Representative Thompson moved to suspend all necessary rules to set a local, consent, and resolutions calendar for 10 a.m. Tuesday, May 19.

The motion prevailed.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Thompson requested permission for the Committee on Local and Consent Calendars to meet while the house is in session, at 6:15 p.m. today, in 2W.6, 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, 6:15 p.m. today, 2W.6, for a formal meeting, to consider the calendar.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Thompson moved to suspend the five-day posting rule to allow the Committee on Licensing and Administrative Procedures to consider **SB 1013**, **SB 2073**, and **SB 2505**.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Licensing and Administrative Procedures, 10:30 a.m. or upon final adjournment/recess Monday, May 18, E2.012, for a public hearing, to consider **SB 1013**, **SB 2073**, and **SB 2505**.

**HB 1988 ON THIRD READING  
(by McReynolds and Christian)**

**HB 1988**, A bill to be entitled An Act relating to the duties of a peace officer in connection with the suspension of a driver's license for a failure to pass a blood or breath test for intoxication or the presence of alcohol.

**Amendment No. 1**

Representative Alonzo offered the following amendment to **HB 1988**:

Amend **HB 1988** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter B, Chapter 524, Transportation Code, is amended by adding Section 524.0115 to read as follows:

Sec. 524.0115. VEHICLE IGNITION INTERLOCK DEVICE.  
Notwithstanding any other law, the department shall return a person's driver's license if the person whose driver's license has been taken under Section

524.011(b)(2) provides proof to the department, in accordance with rules adopted by the department, that the person has installed a vehicle ignition interlock device on each motor vehicle owned by the person.

### **Amendment No. 2**

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

Amend Amendment No. 1 by Alonzo to **HB 1988** by striking line 12 of the amendment and substituting the following:

device on a motor vehicle owned by the person. A peace officer may take possession of the driver's license of a person who received the person's driver's license under this section if the person drives a vehicle that is not equipped with a vehicle ignition interlock device.

Amendment No. 2 was adopted.

Amendment No. 1, as amended, was adopted.

**HB 1988**, as amended, was passed by (Record 902): 135 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker.

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Edwards; Farrar; Gallego; Guillen; Menendez; Pickett.

### **STATEMENT OF VOTE**

When Record No. 902 was taken, my vote failed to register. I would have voted yes.

Guillen

**HB 1937 ON THIRD READING****(by Villarreal, et al.)**

**HB 1937**, A bill to be entitled An Act relating to the voluntary assessment of property owners by a municipality to finance certain energy conservation improvements.

**HB 1937** was passed by (Record 903): 87 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Burnam; Castro; Chavez; Chisum; Cohen; Coleman; Cook; Creighton; Crownover; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Eiland; England; Farabee; Farias; Flores; Frost; Gallego; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Jackson; Jones; Keffer; Kent; King, T.; Leibowitz; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Miklos; Moody; Naishtat; Olivo; Orr; Ortiz; Otto; Patrick; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, W.; Smithee; Solomons; Strama; Taylor; Thibaut; Thompson; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle.

Nays — Anderson; Aycock; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Christian; Corte; Crabb; Craddick; Darby; Eissler; Elkins; Fletcher; Flynn; Gattis; Geren; Harless; Harper-Brown; Hartnett; Hilderbran; Hughes; Hunter; Isett; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Madden; McCall; Merritt; Miller, D.; Miller, S.; Morrison; Parker; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, T.; Swinford; Truitt; Weber; Woolley; Zerwas.

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

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Edwards; Farrar.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 903. I intended to vote no.

Bohac

I was shown voting yes on Record No. 903. I intended to vote no.

Cook

(Speaker in the chair)

**HB 708 ON THIRD READING****(by Rose)**

**HB 708**, A bill to be entitled An Act relating to coordination of postsecondary curricula and to the publication of transfer guidelines for academic planning to support academic progress by students enrolled at public institutions of higher education.

**Amendment No. 1**

Representative Gonzales offered the following amendment to **HB 708**:

Amend **HB 708**, on third reading, by adding the following appropriately numbered SECTION to the bill and renumbering existing SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. (a) Section 61.0595(d), Education Code, is amended to read as follows:

(d) The following are not counted for purposes of determining whether the student has previously earned the number of semester credit hours specified by Subsection (a):

(1) semester credit hours earned by the student before receiving an associate or [a] baccalaureate degree that has previously been awarded to the student;

(2) semester credit hours earned by the student by examination or under any other procedure by which credit is earned without registering for a course for which tuition is charged;

(3) credit for a remedial education course, a technical course, a workforce education course funded according to contact hours, or another course that does not count toward a degree program at the institution; ~~and~~

(4) semester credit hours earned by the student at a private institution or an out-of-state institution; and

(5) semester credit hours earned by the student before graduating from high school and used to satisfy high school graduation requirements.

(b) The change in law made by this section to Section 61.0595, Education Code, applies beginning with the funding recommendations made under Section 61.059, Education Code, for the 2011-2012 academic year.

Amendment No. 1 was adopted.

**HB 708**, as amended, was passed by (Record 904): 137 Yeas, 0 Nays, 1 Present, not voting.

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

Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Vaught; Veasey; Villarreal; Walle; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Edwards; Farabee; Farrar; Vo.

### STATEMENT OF VOTE

When Record No. 904 was taken, I was in the house but away from my desk. I would have voted yes.

Farabee

### HB 662 ON THIRD READING

(by Ortiz, Chavez, Coleman, Cook, Lucio, et al.)

**HB 662**, A bill to be entitled An Act relating to the operation of a motor vehicle by a person under 18 years of age while using a wireless communications device.

**HB 662** was passed by (Record 905): 94 Yeas, 45 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Branch; Burnam; Castro; Chavez; Cohen; Coleman; Cook; Crabb; Craddick; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Edwards; Eiland; England; Farabee; Farias; Flores; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hardcastle; Harless; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Jackson; Jones; Keffer; Kent; King, T.; Kleinschmidt; Kolkhorst; Legler; Leibowitz; Lewis; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Olivo; Ortiz; Patrick; Peña; Phillips; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, T.; Solomons; Strama; Thibaut; Thompson; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle; Woolley; Zerwas.

Nays — Anderson; Aycock; Bonnen; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Corte; Creighton; Crownover; Darby; Davis, J.; Eissler; Elkins; Fletcher; Flynn; Hamilton; Hancock; Harper-Brown; Hartnett; Howard, C.; Hughes; Isett; King, S.; Laubenberg; Madden; McCall; Miller, D.; Miller, S.; Morrison; Orr; Otto; Parker; Paxton; Riddle; Sheffield; Shelton; Smith, W.; Smithee; Swinford; Taylor; Truitt; Weber.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Farrar; King, P.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 905. I intended to vote no.

Frost

I was shown voting yes on Record No. 905. I intended to vote no.

Homer

I was shown voting yes on Record No. 905. I intended to vote no.

Hopson

When Record No. 905 was taken, I was in the house but away from my desk. I would have voted no.

P. King

**HB 2038 ON THIRD READING**

(by Isett)

**HB 2038**, A bill to be entitled An Act relating to the regulation of structural pest control.

**HB 2038** was passed by (Record 906): 138 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Bonnen; Dutton; Farrar; Menendez.

**HB 2128 ON THIRD READING**  
**(by Giddings)**

**HB 2128**, A bill to be entitled An Act relating to the enforcement of regulations regarding the sale of plastic bulk merchandise containers.

**HB 2128** was passed by (Record 907): 127 Yeas, 12 Nays, 1 Present, not voting.

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

Nays — Callegari; Christian; Crabb; Fletcher; Flynn; Gattis; Harper-Brown; Hunter; Miller, S.; Paxton; Phillips; Riddle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Farrar; Laubenberg.

**STATEMENTS OF VOTE**

I was shown voting yes on Record No. 907. I intended to vote no.

Aycock

I was shown voting no on Record No. 907. I intended to vote yes.

Flynn

I was shown voting yes on Record No. 907. I intended to vote no.

Harless

**HB 2245 ON THIRD READING**  
**(by S. Turner)**

**HB 2245**, A bill to be entitled An Act relating to the sealing of and restricted access to juvenile records of adjudications of delinquent conduct or conduct indicating a need for supervision.

**HB 2245** was passed by (Record 908): 73 Yeas, 64 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Edwards; Eiland; Elkins; England; Farabee; Farias; Flores; Frost; Gallego; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Keffer; Kent; King, T.; Leibowitz; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Naishtat; Oliveira; Ortiz; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smithee; Strama; Thibaut; Thompson; Turner, C.; Vaught; Veasey; Villarreal; Vo; Walle.

Nays — Anderson; Aycock; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Eissler; Fletcher; Flynn; Gattis; Geren; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Howard, C.; Hughes; Hunter; Isett; Jackson; Jones; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Madden; McCall; Miller, D.; Miller, S.; Morrison; Orr; Otto; Parker; Patrick; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Truitt; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dutton; Farrar; Olivo; Swinford; Taylor.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 908. I intended to vote no.

Bohac

### HB 2267 ON THIRD READING (by Hodge and Dutton)

**HB 2267**, A bill to be entitled An Act relating to the joint or separate prosecution of a capital felony charged against two or more defendants and the extent of a defendant's criminal responsibility for the conduct of a conspirator in capital felony cases.

#### Amendment No. 1

Representative Hodge offered the following amendment to **HB 2267**:

Amend **HB 2267** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. This Act shall be known as the Kenneth Foster, Jr., Act.

Amendment No. 1 was adopted.

**HB 2267**, as amended, was passed by (Record 909): 69 Yeas, 66 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bolton; Burnam; Castro; Chavez; Cohen; Coleman; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; England; Farabee; Farias; Farrar; Flores; Gallego; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Keffer; Kent; King, T.; Leibowitz; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Naishtat; Oliveira; Olivo; Ortiz; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Strama; Thibaut; Thompson; Vaught; Veasey; Villarreal; Vo; Walle.

Nays — Anderson; Aycock; Bohac; Bonnen; Branch; Brown, F.; Button; Callegari; Chisum; Cook; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Eissler; Elkins; Fletcher; Flynn; Frost; Gattis; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hilderbran; Howard, C.; Hughes; Hunter; Isett; Jackson; Jones; King, P.; King, S.; Kleinschmidt; Kolkhorst; Laubenberg; Legler; Lewis; Madden; McCall; Miller, D.; Morrison; Orr; Otto; Parker; Patrick; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Solomons; Swinford; Taylor; Truitt; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Brown, B.; Christian; Geren; Miklos; Miller, S.; Moody; Turner, C.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 909. I intended to vote yes.

Callegari

I was shown voting yes on Record No. 909. I intended to vote no.

Farabee

When Record No. 909 was taken, I was in the house but away from my desk. I would have voted no.

Geren

I was shown voting yes on Record No. 909. I intended to vote no.

Hopson

I was shown voting yes on Record No. 909. I intended to vote no.

Merritt

I was shown voting yes on Record No. 909. I intended to vote no.

Rose

I was shown voting yes on Record No. 909. I intended to vote no.

Vaught

**HB 2142 ON THIRD READING**  
**(by McClendon)**

**HB 2142**, A bill to be entitled An Act relating to the promotion of toll projects by the Texas Department of Transportation.

**HB 2142** was passed by (Record 910): 132 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Sheffield.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Davis, J.; Fletcher; Homer; Hunter; Miklos; Olivo; Swinford; Vaught; Woolley.

**STATEMENTS OF VOTE**

When Record No. 910 was taken, I was in the house but away from my desk. I would have voted yes.

Homer

When Record No. 910 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting no on Record No. 910. I intended to vote yes.

Sheffield

**HB 831 ON THIRD READING****(by Taylor, Peña, Fletcher, Oliveira, Sheffield, et al.)**

**HB 831**, A bill to be entitled An Act relating to exempting from ad valorem taxation property used by certain nonprofit community business organizations to provide services to aid in the economic development of local communities.

**Amendment No. 1**

Representatives Villarreal, Hughes, and Burnam offered the following amendment to **HB 831**:

Amend **HB 831** (second reading engrossment) as follows:

(1) On page 4, line 27, strike "or" and substitute "[~~or~~]".

(2) On page 5, line 3, between "bank" and the period, insert the following:

; or

(23) providing access to affordable financial products and services for underserved communities, if the organization is:

(A) a certified community development financial institution; and

(B) exempt from federal income taxation under Section 501(a),

Internal Revenue Code of 1986, as amended, by being listed as an exempt entity under Section 501(c)(3) of that code

Amendment No. 1 was adopted.

**Amendment No. 2**

Representative Chisum offered the following amendment to **HB 831**:

Amend **HB 831** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS appropriately:

SECTION \_\_\_\_\_. Subchapter B, Chapter 171, Tax Code, is amended by adding Section 171.0615 to read as follows:

Sec. 171.0615. EXEMPTION—CERTAIN NONPROFIT LIMITED LIABILITY COMPANIES. A limited liability company treated as a disregarded entity for federal tax purposes under Treasury Regulation Section 301.7701-3 whose sole member is exempted from federal taxation under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt organization under Section 501(c)(3) of that code, is exempted from the franchise tax if the limited liability company is formed solely to carry out the charitable activities of the limited liability company's sole member.

Amendment No. 2 was adopted.

**Amendment No. 3**

Representative Burnam offered the following amendment to **HB 831**:

Amend **HB 831** (second reading engrossment) as follows:

(1) On page 8, line 16, strike "and".

(2) On page 8, line 17, between "(E)" and "is", insert the following:

does not employ a person who is required to register under Section 305.003, Government Code; and

(F)

Amendment No. 3 was adopted.

**HB 831**, as amended, was passed by (Record 911): 131 Yeas, 4 Nays, 1 Present, not voting.

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

Nays — Burnam; Hartnett; Leibowitz; Olivo.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Davis, Y.; Gonzalez Toureilles; Hunter; Kent; King, S.; McReynolds; Vaught.

**STATEMENTS OF VOTE**

When Record No. 911 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 911 was taken, I was in the house but away from my desk. I would have voted yes.

Kent

When Record No. 911 was taken, I was in the house but away from my desk. I would have voted yes.

Vaught

**HB 2012 ON THIRD READING**  
**(by Vaught, Kent, S. King, and Gattis)**

**HB 2012**, A bill to be entitled An Act relating to the criminal consequences of operating without a valid driver's license a motor vehicle for which financial responsibility is not established.

**HB 2012** was passed by (Record 912): 133 Yeas, 1 Nays, 1 Present, not voting.

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

Nays — Thompson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Darby; Edwards; Gallego; Gattis; King, S.; King, T.; Marquez; Sheffield.

**STATEMENTS OF VOTE**

When Record No. 912 was taken, I was in the house but away from my desk. I would have voted yes.

Gallego

When Record No. 912 was taken, my vote failed to register. I would have voted yes.

Marquez

**HB 836 ON THIRD READING**  
**(by S. Miller, Christian, and Guillen)**

**HB 836**, A bill to be entitled An Act relating to hunting of feral hogs by helicopter.

**HB 836** was passed by (Record 913): 125 Yeas, 12 Nays, 1 Present, not voting.

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

Nays — Burnam; Castro; Chavez; Cohen; Hernandez; Howard, D.; Kent; Lucio; Naishtat; Rodriguez; Strama; Thibaut.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Bolton; Button; King, S.; Moody; Villarreal.

### **HB 801 ON THIRD READING**

**(by Guillen, Anchia, Burnam, Parker, Edwards, et al.)**

**HB 801**, A bill to be entitled An Act relating to prohibiting the investment of the permanent university fund in certain business entities doing business in Sudan.

**HB 801** was passed by (Record 914): 114 Yeas, 23 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Bohac; Bolton; Branch; Brown, B.; Brown, F.; Burnam; Castro; Chavez; Cohen; Coleman; Corte; Crabb; Craddick; Creighton; Crownover; Darby; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Geren; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Leibowitz; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Peña; Phillips; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez;

Rose; Sheffield; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Veasey; Villarreal; Vo; Walle; Zerwas.

Nays — Bonnen; Button; Callegari; Chisum; Christian; Davis, J.; Elkins; Fletcher; Flynn; Hamilton; Hancock; Hunter; Jackson; Keffer; Laubenberg; Legler; Lewis; Miller, S.; Paxton; Riddle; Shelton; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Cook; Gattis; Jones; King, S.; Vaught.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 914. I intended to vote no.

Anderson

I was shown voting no on Record No. 914. I intended to vote yes.

Paxton

When Record No. 914 was taken, I was in the house but away from my desk. I would have voted yes.

Vaught

### HB 732 ON THIRD READING (by Hartnett)

**HB 732**, A bill to be entitled An Act relating to the removal of certain information from a physician's medical board profile.

**HB 732** was passed by (Record 915): 137 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Cohen; King, S.; Kolkhorst; Madden; McClendon.

### STATEMENT OF VOTE

When Record No. 915 was taken, my vote failed to register. I would have voted yes.

Cohen

### HB 1055 ON THIRD READING (by Parker)

**HB 1055**, A bill to be entitled An Act relating to the procedure for submitting certain plans and specifications of buildings or facilities for the purpose of eliminating architectural barriers encountered by persons with disabilities.

**HB 1055** was passed by (Record 916): 140 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Laubenberg; Raymond.

**HB 2163 ON THIRD READING**  
**(by S. Turner, Allen, Crabb, and Marquez)**

**HB 2163**, A bill to be entitled An Act relating to a study regarding the provision of certain medications through the Medicaid vendor drug program to children younger than 16 years of age.

**HB 2163** was passed by (Record 917): 135 Yeas, 4 Nays, 1 Present, not voting.

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

Nays — Chisum; Hunter; Legler; Truitt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Edwards; Laubenberg; Menendez.

**HB 148 ON THIRD READING**  
**(by T. Smith)**

**HB 148**, A bill to be entitled An Act relating to the prosecution of the offense of barratry and solicitation of professional employment.

**HB 148** was passed by (Record 918): 140 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Driver; Laubenberg.

### **HB 1196 ON THIRD READING (by Hochberg)**

**HB 1196**, A bill to be entitled An Act relating to the payment of wages by an employer through an electronic transfer of funds to a payroll card account.

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

Representative Hochberg offered the following amendment to **HB 1196**:

Amend **HB 1196**, house committee printing, on page 6, between lines 17 and 18, by inserting the following:

Sec. 61.161. APPLICATION TO BANKS AND OTHER FINANCIAL INSTITUTIONS. A requirement or restriction imposed on an employer under Section 61.153, 61.155, 61.156, 61.158, or 61.159 applies to a payroll card issuer that is a bank or other financial institution as if the bank or financial institution were the employer.

Amendment No. 1 was adopted.

**HB 1196**, as amended, was passed by (Record 919): 137 Yeas, 0 Nays, 1 Present, not voting.

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

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Driver; Gutierrez; Laubenberg; Patrick; Swinford.

**HB 1209 ON THIRD READING**  
**(by McClendon and Gattis)**

**HB 1209**, A bill to be entitled An Act relating to beneficiaries of construction payment trust funds.

**HB 1209** was passed by (Record 920): 140 Yeas, 0 Nays, 1 Present, not voting.

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

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Driver; Patrick.

**HB 1243 ON THIRD READING****(by Gallego, Farabee, Solomons, Swinford, Coleman, et al.)**

**HB 1243**, A bill to be entitled An Act relating to net metering for retail electric service customers and compensation for excess electricity generated by a retail electric customer's on-site generator.

**Amendment No. 1**

Representative Gallego offered the following amendment to **HB 1243**:

Amend **HB 1243** on third reading (second reading engrossment) as follows:

(1) On page 3, line 13, strike "(q)".

(2) On page 6, strike line 21, and substitute:

serves the owner's load at a value that is greater than or equal to the avoided cost of the electric utility or electric cooperative, as determined in accordance with commission rules, and, for an electric cooperative, that is at least 4.5 cents per kilowatt hour regardless of the electric cooperative's avoided cost. A distributed generation owner who chooses to sell the owner's surplus electricity in an area in which customer choice has been introduced

(3) On page 7, line 14, strike "(k) The" and substitute:

(k) In areas in which customer choice has been introduced, the

(4) On page 8, line 4, strike "(m) A" and substitute:

(m) In areas in which customer choice has been introduced, a

(5) On page 8, strike line 7 and substitute:

(1) the owner's distributed renewable generation is:

(A) rated to produce an amount of electricity that is less than or equal to the amount of electricity the retail electric customer for whom the distributed renewable generation is installed is reasonably expected to consume; and

(B)

(6) On page 9, strike lines 17-20.

(7) On page 9, strike lines 22 and 23 and substitute:

Subsection (k) for determining a fair market value price in an area open to competition, a retail electric

(8) On page 10, strike lines 1-5 and substitute "technology".

(9) On page 13, strike lines 11 and 12 and substitute:

added by this Act, and shall report its findings and recommendations to the 82nd Legislature not later than January 15, 2011. The study must include assessments of:

(1) the development of the market in ERCOT for the sale of surplus electricity, including the prices that retail electric providers and electric utilities, municipal electric utilities, and electric cooperatives in areas in which customer choice has not been introduced pay for surplus electricity, and the amount of surplus electricity such entities have purchased;

(2) the rate of adoption by customers in this state of distributed renewable generation, including generation by solar and other on-site renewable technologies, including a comparison of adoption rates in this state compared to the adoption rates in other states, the extent to which adoption rates vary by retail

market structure, the amount of direct installation incentives, the pricing for purchasing of surplus electricity, and the extent to which adoption rates are affected by the cost of other electric supplies;

(3) a comparison of the default fair market value price for surplus electricity to:

(A) the local market clearing prices of energy at the time of day surplus electricity has been made available to the grid; and

(B) the avoided costs of electric utilities as determined in accordance with commission rules; and

(4) the extent to which electric service customers with distributed renewable generation help avoid transmission and distribution upgrades and reduce pollution, including an estimation of the value of those benefits regionally.

(c) The study report must include any recommendations for improvements in policies necessary to appropriately encourage the development of distributed renewable generation technologies on customer premises.

Amendment No. 1 was adopted.

## **Amendment No. 2**

Representative Strama offered the following amendment to **HB 1243**:

Amend **HB 1243** on third reading (second reading engrossment) on page 13 by striking lines 11 and 12 and substituting:  
added by this Act, and shall report its findings and recommendations to the 82nd Legislature not later than January 15, 2011. The study must include assessments of:

(1) the development of the market in ERCOT for the sale of surplus electricity, including the prices that retail electric providers and electric utilities, municipal electric utilities, and electric cooperatives in areas in which customer choice has not been introduced pay for surplus electricity, and the amount of surplus electricity these entities have purchased;

(2) the rate of adoption by customers in this state of distributed renewable generation, including generation by solar and other on-site renewable technologies, including a comparison of adoption rates in this state compared to the adoption rates in other states, the extent to which adoption rates vary by retail market structure, the amount of direct installation incentives, the pricing for purchasing of surplus electricity, and the extent to which adoption rates are affected by the cost of other electric supplies;

(3) a comparison of the default fair market value price for surplus electricity to:

(A) the local market clearing prices of energy at the time of day surplus electricity has been made available to the grid; and

(B) the avoided costs of electric utilities as determined in accordance with commission rules; and

(4) the extent to which electric service customers with distributed renewable generation help avoid transmission and distribution upgrades and reduce pollution, including an estimation of the value of those benefits regionally.

(c) The study report must include any recommendations for improvements in policies necessary to appropriately encourage the development of distributed renewable generation technologies on customer premises.

Amendment No. 2 was adopted.

**HB 1243**, as amended, was passed by (Record 921): 99 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Branch; Burnam; Callegari; Castro; Chavez; Cohen; Coleman; Cook; Crownover; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Tourelles; Guillen; Gutierrez; Hamilton; Hardcastle; Harper-Brown; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; Kent; King, T.; Leibowitz; Lewis; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Moody; Naishtat; Olivo; Orr; Ortiz; Patrick; Peña; Phillips; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smith, W.; Smithee; Solomons; Strama; Swinford; Taylor; Thibaut; Thompson; Turner, C.; Veasey; Villarreal; Vo; Walle.

Nays — Anderson; Aycock; Bonnen; Brown, B.; Brown, F.; Button; Chisum; Christian; Corte; Crabb; Craddick; Creighton; Darby; Fletcher; Flynn; Hancock; Hartnett; Hilderbran; Hunter; King, P.; Kleinschmidt; Kolkhorst; Legler; Madden; Miller, S.; Morrison; Parker; Paxton; Riddle; Sheffield; Shelton; Smith, T.; Truitt; Weber; Woolley; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Driver; Harless; King, S.; Laubenberg; Oliveira; Otto; Vaught.

### STATEMENTS OF VOTE

When Record No. 921 was taken, I was in the house but away from my desk. I would have voted no.

Harless

I was shown voting no on Record No. 921. I intended to vote yes.

Hilderbran

### **HB 1299 ON THIRD READING** (by C. Turner, Ortiz, Lucio, et al.)

**HB 1299**, A bill to be entitled An Act relating to the fund for veterans' assistance and the creation of a lottery game to benefit the fund.

**HB 1299** was passed by (Record 922): 88 Yeas, 48 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Bolton; Branch; Burnam; Castro; Chavez; Cohen; Coleman; Craddick; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; England; Farabee; Farias; Farrar; Flores; Frost; Gallego; Geren; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Hardcastle; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hunter; Kent; King, S.; King, T.; Kleinschmidt; Leibowitz; Lewis; Lucio; Madden; Maldonado; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, S.; Moody; Naishtat; Oliveira; Olivo; Ortiz; Otto; Parker; Patrick; Peña; Pickett; Quintanilla; Raymond; Rios Ybarra; Ritter; Rodriguez; Rose; Smithee; Strama; Thibaut; Thompson; Turner, C.; Veasey; Villarreal; Vo; Walle; Zerwas.

Nays — Anderson; Bonnen; Brown, B.; Brown, F.; Button; Callegari; Chisum; Christian; Cook; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Elkins; Fletcher; Flynn; Gattis; Hancock; Harless; Hartnett; Howard, C.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; Kolkhorst; Laubenberg; Legler; Miller, D.; Morrison; Orr; Paxton; Phillips; Riddle; Sheffield; Shelton; Smith, T.; Smith, W.; Solomons; Swinford; Taylor; Truitt; Weber; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Dunnam; Edwards; Eissler; Harper-Brown; Heflin; Vaught.

### STATEMENT OF VOTE

I was shown voting no on Record No. 922. I intended to vote yes.

Corte

### HB 1396 ON THIRD READING (by Farrar, Vaught, et al.)

**HB 1396**, A bill to be entitled An Act relating to the punishment prescribed for burglary of a vehicle and to grants of community supervision to persons who commit that offense.

**HB 1396** was passed by (Record 923): 103 Yeas, 34 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Bohac; Bolton; Branch; Brown, B.; Burnam; Button; Castro; Chavez; Cohen; Coleman; Creighton; Crownover; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Eiland; England; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Gonzales; Gonzalez Toureilles; Guillen; Gutierrez; Hamilton; Harless; Heflin; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, D.; Hughes; Isett; Jackson; Jones; Kent; King, P.; King, T.; Kleinschmidt; Kolkhorst; Laubenberg; Leibowitz; Lucio; Maldonado; Marquez; Martinez; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Miklos; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Pickett; Quintanilla;

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

Nays — Anderson; Aycock; Bonnen; Brown, F.; Callegari; Chisum; Christian; Cook; Corte; Crabb; Craddick; Darby; Davis, J.; Eissler; Elkins; Fletcher; Hardcastle; Harper-Brown; Hartnett; Hilderbran; Howard, C.; Hunter; Keffer; King, S.; Legler; Lewis; Madden; McCall; Miller, D.; Miller, S.; Riddle; Thompson; Weber; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Berman; Giddings; Kuempel; Mallory Caraway; Pierson; Pitts; Turner, S.

Absent — Driver; Hancock; Hernandez; Phillips; Swinford.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 923. I intended to vote yes.

Anderson

I was shown voting no on Record No. 923. I intended to vote yes.

Corte

I was shown voting no on Record No. 923. I intended to vote yes.

Crabb

I was shown voting no on Record No. 923. I intended to vote yes.

Harper-Brown

I was shown voting no on Record No. 923. I intended to vote yes.

Hilderbran

I was shown voting no on Record No. 923. I intended to vote yes.

Lewis

I was shown voting no on Record No. 923. I intended to vote yes.

Riddle

### HB 2511 - RULES SUSPENDED

Representative T. Smith moved to suspend Rule 2, Section 1(a)(9) of the House Rules to permit **HB 2511** to be sent to the senate in the form of engrossed riders in lieu of a full engrossment.

The motion prevailed.

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Gonzales requested permission for the Committee on Border and Intergovernmental Affairs to meet while the house is in session, during bill referral today, in 3W.9, for a formal meeting, to consider pending business.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Border and Intergovernmental Affairs, during bill referral today, 3W.9, for a formal meeting, to consider pending business.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Eissler moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Public Education to consider **SB 158**, **SB 1549**, **SB 1726**, **SB 2178**, **SB 2249**, and **SB 2258**.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Public Education, 8 a.m. Monday, May 18, E2.036, for a public hearing, to consider **SB 158**, **SB 1549**, **SB 1726**, **SB 2178**, **SB 2249**, **SB 2258**, and the posted agenda.

**FIVE-DAY POSTING RULE SUSPENDED**

Representative Rose moved to suspend the five-day posting rule and all necessary rules to allow the Committee on Human Services to consider **SB 67**, **SB 939**, **SB 1050**, **SB 1088**, **SB 1521**, **SB 1723**, **SB 1730**, **SB 1804**, **SB 2080**, and **SB 2420**.

The motion prevailed.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Human Services, 8 a.m. Tuesday, May 19, E2.030, for a public hearing, to consider **SB 67**, **SB 939**, **SB 1050**, **SB 1088**, **SB 1521**, **SB 1723**, **SB 1730**, **SB 1804**, **SB 2080**, and **SB 2420**.

**SB 921 - JOINT SPONSORS ADDED**

Representative Solomons moved to suspend Rule 8, Section 5 of the House Rules to add Representative Swinford and Representative Solomons as joint sponsors to **SB 921**.

The motion prevailed.

**PROVIDING FOR ADJOURNMENT**

Representative Solomons moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. Monday, May 18.

The motion prevailed.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING  
AND REFERRAL TO COMMITTEES  
RESOLUTIONS REFERRED TO COMMITTEES**

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. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Merritt in the chair)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 6:58 p.m., adjourned until 10 a.m. Monday, May 18.

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**ADDENDUM**

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**REFERRED TO COMMITTEES**

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

**List No. 1**

**HCR 216** (By Homer), In memory of Leo Edward Polowy, Jr., of Paris, Texas.

To Rules and Resolutions.

**HCR 217** (By Homer), In memory of Meredith G. Harper of Pattonville.

To Rules and Resolutions.

**HCR 218** (By Homer), In memory of Hazel Keith Schmitter of Cooper.

To Rules and Resolutions.

**HCR 219** (By Chisum), Commending the Governor William P. Clements, Jr., Scholars on their service to their state and nation.

To Rules and Resolutions.

**HCR 220** (By Kuempel), Requesting the lieutenant governor and the speaker of the house of representatives to create a joint interim committee to study the gaming industry in Texas and its potential direct and indirect economic impact on specific markets and on the state as a whole.

To Licensing and Administrative Procedures.

**HCR 222** (By Driver), Directing the Texas Facilities Commission to submit a proposal to the presiding officers of the Texas Legislature to name Building A at the DPS Headquarters Complex in Austin in honor of Thomas A. Davis, Jr., former director of the Texas Department of Public Safety.

To State Affairs.

**HCR 223** (By Homer), In memory of Frank Weaver of Paris, Texas.

To Rules and Resolutions.

**HR 4** (By Straus), In memory of Dulcenea Maria "Nellie" Munoz of Georgetown.

To Rules and Resolutions.

**HR 1927** (By D. Howard), Honoring members of Troop No. 399 in Austin on attaining the rank of Eagle Scout.

To Rules and Resolutions.

**HR 1928** (By Jackson), Honoring Tim Hayden for his service on the Carrollton City Council.

To Rules and Resolutions.

**HR 1929** (By Jackson), Honoring Larry Williams for his service with the Carrollton City Council.

To Rules and Resolutions.

**HR 1930** (By Jackson), Honoring Herb Weidinger for his service on the Carrollton City Council.

To Rules and Resolutions.

**HR 1931** (By Hopson), Congratulating Doyle Buckley of Cherokee County on his award from the Cherokee County Soil and Water Conservation District.

To Rules and Resolutions.

**HR 1932** (By Hopson), Congratulating Carolyn Cornelius of Jacksonville on her receipt of a conservation education award from the Cherokee County Soil and Water Conservation District.

To Rules and Resolutions.

**HR 1933** (By T. Smith), Congratulating Tracy Anderson on her selection as the 2009 Student of the Year by the Hurst-Eules-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1934** (By Chisum), Granting the Texas DeMolay Association permission to use the house chamber on February 20 and 21, 2010.

To House Administration.

**HR 1935** (By Dutton), Commemorating the dedication of the William Leonard Davis Building at El Rancho Cima Boy Scout Camp.

To Rules and Resolutions.

**HR 1936** (By Peña), Honoring the 70th anniversary of the Edinburg Lions Club.

To Rules and Resolutions.

**HR 1938** (By Truitt), Commemorating the 75th anniversary of the Grapevine Lions Club.

To Rules and Resolutions.

**HR 1939** (By Bonnen), Congratulating Rich Tillman on earning the Community Builder Award from St. John's Masonic Lodge.

To Rules and Resolutions.

**HR 1940** (By Moody), Honoring the life of Margaret Caroline Hussmann of El Paso.

To Rules and Resolutions.

**HR 1941** (By Moody), Honoring the life of John Paul Scarbrough of El Paso.

To Rules and Resolutions.

**HR 1942** (By Creighton), Honoring Richard B. Cowan on his service as superintendent of New Caney ISD.

To Rules and Resolutions.

**HR 1943** (By Creighton), In memory of U.S. Army Captain Rowdy J. Inman of Panorama Village.

To Rules and Resolutions.

**HR 1944** (By Kent), In memory of Marion Allen Mitchell of Dallas.

To Rules and Resolutions.

**HR 1945** (By C. Turner), Honoring Joseph Parker Cullar for his service as a legislative intern in the office of State Representative Chris Turner.

To Rules and Resolutions.

**HR 1946** (By Dutton), Honoring Raisha Tierra Smith on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1947** (By Dutton), Honoring Rai'Shonna Catrice Powell on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1948** (By Dutton), Honoring Chantal Thomas on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1949** (By Dutton), Commemorating the Three Score and Ten Senior Recognition Program, hosted by the Ella Bouldin Women's Missionary Society.

To Rules and Resolutions.

**HR 1950** (By Dutton), Honoring Kenyatta Montzel Chandler on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1951** (By Dutton), Honoring Ariel Harper on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1952** (By Dutton), Honoring Elandrea Dior McMillan on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1953** (By Dutton), Honoring Magen Paige Norwood on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1954** (By Dutton), Honoring Josslyn Wilson on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1955** (By Dutton), Honoring Aundrea Williams on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1956** (By Dutton), Honoring Angelica Elizabeth Washington on earning the Girl Scout Gold Award.

To Rules and Resolutions.

**HR 1958** (By Jackson), Commending the Honorable Douglas N. Stover for his service to the citizens of Coppell.

To Rules and Resolutions.

**HR 1959** (By T. Smith), Congratulating Nick Nguyen on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1960** (By T. Smith), Congratulating Sean Gilmore on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1961** (By T. Smith), Congratulating Pravin Boteju on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1962** (By T. Smith), Congratulating Anthony Hernandez on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1963** (By T. Smith), Congratulating Travis McDonald on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1964** (By T. Smith), Congratulating Jose Cervantes on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1965** (By T. Smith), Congratulating Edward Zayas on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1966** (By T. Smith), Congratulating Nolan King on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1967** (By T. Smith), Congratulating Daniel Lowder on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1968** (By T. Smith), Congratulating Lehi Tonga on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1969** (By T. Smith), Congratulating Christian Schooler on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1970** (By T. Smith), Congratulating Azim Hussain on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1971** (By T. Smith), Congratulating Michael Ray on his receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1972** (By T. Smith), Congratulating Hillary Head on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1973** (By T. Smith), Congratulating Ashley Bauman on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1974** (By T. Smith), Congratulating Chelsea Kreis on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1975** (By T. Smith), Congratulating Michelle DuFrane on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1976** (By T. Smith), Congratulating Mary Gomez on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1977** (By T. Smith), Congratulating Rebecca Voirin on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1978** (By T. Smith), Congratulating Emily Thatcher on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1979** (By T. Smith), Congratulating Adrienne Crandall on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1980** (By T. Smith), Congratulating Jennifer Goertz on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.

To Rules and Resolutions.

**HR 1981** (By T. Smith), Congratulating Darya Cheng on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.  
To Rules and Resolutions.

**HR 1982** (By T. Smith), Congratulating Preslava Staneva on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.  
To Rules and Resolutions.

**HR 1983** (By T. Smith), Congratulating Ashley Armendariz on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.  
To Rules and Resolutions.

**HR 1984** (By T. Smith), Congratulating Lauren Levi on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.  
To Rules and Resolutions.

**HR 1985** (By T. Smith), Congratulating Toni Moore on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.  
To Rules and Resolutions.

**HR 1986** (By T. Smith), Congratulating Gabrielle Phillips on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.  
To Rules and Resolutions.

**HR 1987** (By T. Smith), Congratulating Armanda Brackman on her receipt of a 2009 Award of Excellence from the Hurst-Euless-Bedford Education Foundation.  
To Rules and Resolutions.

**HR 1988** (By Rodriguez), Honoring Anthony Ortiz, Jr., of Austin on his achievements as a musician.  
To Rules and Resolutions.

**HR 1989** (By Branch), Paying tribute to Senator John G. Tower and commemorating the dedication of a memorial marker in his honor on the grounds of the Texas State Cemetery.  
To Rules and Resolutions.

**HR 1990** (By Craddick), Honoring Louis and Gertrude Bevacqua of Midland on their 60th wedding anniversary.  
To Rules and Resolutions.

**HR 1991** (By Martinez), Congratulating IDEA Schools CEO Tom Torkelson on being nominated for inclusion in TIME magazine's 2009 TIME 100 list of the world's most influential people.  
To Rules and Resolutions.

**HR 1992** (By Martinez), Congratulating Richard Garcia on being named the 2009 Man of the Year by the Mercedes Area Chamber of Commerce.  
To Rules and Resolutions.

**HR 1993** (By Martinez), Congratulating Dalia de la O Carr on being named the 2008 Woman of the Year by the Mercedes Chamber of Commerce.

To Rules and Resolutions.

**HR 1994** (By P. King), Congratulating the Brock High School Lady Eagles basketball team on winning the UIL 2A state championship.

To Rules and Resolutions.

**HR 1995** (By Rodriguez), In memory of Hannah Isabella Rose Kiely.

To Rules and Resolutions.

**HR 1997** (By McReynolds), In memory of Brandon Demond Hart of Woodville.

To Rules and Resolutions.

**HR 1998** (By McReynolds), Congratulating the staff of the Lufkin Daily News on their awards from the Better Newspaper Contest 2009.

To Rules and Resolutions.

**HR 1999** (By Martinez Fischer), Honoring Regina Campos of Driftwood for her participation in the Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

**HR 2000** (By Martinez Fischer), Honoring Celeste Montellano of Stephenville for her participation in the Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

**HR 2001** (By Martinez Fischer), Honoring Samantha Dominguez of El Paso for her participation in the Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

**HR 2002** (By Martinez Fischer), Honoring Clarissa Ramon of San Antonio for her participation in the Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

**HR 2003** (By Martinez Fischer), In memory of Dr. Michael J. Sanchez of San Antonio.

To Rules and Resolutions.

**HR 2004** (By Martinez Fischer), Honoring Alondra Johnson of Buda for her participation in the Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

**HR 2005** (By Martinez Fischer), Honoring Oscar Padilla of El Paso for his participation in the Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

**HR 2007** (By Gallego), In memory of Martha Floro of Alpine.

To Rules and Resolutions.

**HR 2008** (By Creighton), Honoring Matt Shepperd, creator of I Am Change, for his efforts to improve the lives of others.

To Rules and Resolutions.

**HR 2009** (By Naishtat), Commemorating the 25th anniversary of Northwest Montessori House of Children in Austin.

To Rules and Resolutions.

**HR 2010** (By S. Miller), Designating the section of the Brazos River Basin and its contributing watershed in Somervell County as the Scenic Riverway of Somervell County.

To Rules and Resolutions.

**HR 2011** (By S. Miller), Recognizing the Mills County Goat and BBQ Cook-off as an official Texas State Goat Barbecue Championship.

To Culture, Recreation, and Tourism.

**HR 2012** (By Kent), Honoring Dr. David Simmons, superintendent of the Richardson Independent School District.

To Rules and Resolutions.

**HR 2013** (By Eissler), Congratulating Michael Holland on the occasion of his retirement as superintendent of the Magnolia Independent School District.

To Rules and Resolutions.

**HR 2014** (By Dutton), Congratulating Breanna Lewis on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2015** (By Y. Davis), Congratulating DeMetris Sampson on her receipt of a 2009 Women of Spirit Award from the American Jewish Congress.

To Rules and Resolutions.

**HR 2016** (By Dutton), Congratulating the 2009 graduating class of Kingdom Builders Bible Seminary.

To Rules and Resolutions.

**HR 2017** (By Dutton), Congratulating Karen Flake on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2018** (By Dutton), Congratulating Krystal Allison Bryant on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2019** (By Dutton), Congratulating Tasmine Davis on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2020** (By Dutton), Congratulating Amber Michelle Randall on being named an honoree at the 2009 Reginald Keith Guillory Scholarship Luncheon.

To Rules and Resolutions.

**HR 2021** (By Dutton), Congratulating David Fletcher on his receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2022** (By Dutton), Congratulating Norrisa Terry on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2023** (By Dutton), Congratulating Jasmine A. Davis on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2024** (By Bonnen), Commending Houston police officer Rick Salter for his brave service.

To Rules and Resolutions.

**HR 2025** (By Bonnen), Honoring David Howarth of Lake Jackson on his receipt of the Individual Leadership Award from the Keep Texas Beautiful organization.

To Rules and Resolutions.

**HR 2028** (By Leibowitz), Congratulating Jordan Daniel Marin of San Antonio on earning membership in the National Society of High School Scholars.

To Rules and Resolutions.

**HR 2029** (By Leibowitz), Congratulating Christie Nowlin on being named Grand Marshal of the 2009 Cornyval Parade.

To Rules and Resolutions.

**HR 2031** (By Eiland), Congratulating Betty Massey on her receipt of the Educational Leadership Award from the Galveston Independent School District Educational Foundation.

To Rules and Resolutions.

**HR 2032** (By Flynn), Congratulating Al and Dee Stover of Emory on their 50th wedding anniversary.

To Rules and Resolutions.

**HR 2034** (By Crownover), Honoring M. Cass Wheeler on the occasion of his 2008 retirement as chief executive officer of the American Heart Association.

To Rules and Resolutions.

**HR 2035** (By Hilderbran), In memory of Laurie Bushong Lang of Boerne.

To Rules and Resolutions.

**HR 2036** (By Cohen), Honoring Dr. Patricia L. Starck for her tremendous achievements as dean of The University of Texas Health Science Center at Houston School of Nursing.

To Rules and Resolutions.

**HR 2038** (By Gallego), Honoring Max Stool of San Antonio for his outstanding contributions to his community, state, and nation.

To Rules and Resolutions.

**HR 2041** (By Peña), In memory of Leonel Garza, Sr., of Elsa.

To Rules and Resolutions.

**HR 2042** (By Harper-Brown), Congratulating First United Methodist Church on 101 years of service to the Irving community.

To Rules and Resolutions.

**HR 2043** (By Veasey), Honoring Alexis Dugger for her service as a legislative intern in the office of Representative Marc Veasey.

To Rules and Resolutions.

**HR 2045** (By Leibowitz), Congratulating Ruoheng Zhang on being named the 2009 salutatorian of Sandra Day O'Connor High School in Helotes.

To Rules and Resolutions.

**HR 2046** (By Leibowitz), Congratulating Mu Li on being named the 2009 valedictorian of Sandra Day O'Connor High School in Helotes.

To Rules and Resolutions.

**HR 2047** (By Leibowitz), Congratulating David Joseph Spellman on being named the 2009 valedictorian of William H. Taft High School in San Antonio.

To Rules and Resolutions.

**HR 2048** (By Moody), In memory of El Paso attorney Robert "Ray" Pearson.

To Rules and Resolutions.

**HR 2050** (By S. King), Honoring Andy Meiron for his work at Taylor County Child Protective Services.

To Rules and Resolutions.

**HR 2051** (By S. King), Congratulating Abilene Police Chief Melvin Martin on his retirement.

To Rules and Resolutions.

**HR 2052** (By Mallory Caraway), In memory of Donald Crockett of Dallas County.

To Rules and Resolutions.

**HR 2053** (By Hopson), In memory of Paul Hart of Jacksonville.

To Rules and Resolutions.

**HR 2054** (By Hopson), Commending Phillip Power of Lone Oak for his achievements in maintaining sustainable forest land.

To Rules and Resolutions.

**HR 2055** (By Bonnen), In memory of Houston firefighter and Alvin native Damion Jon Hobbs.

To Rules and Resolutions.

**HR 2056** (By D. Miller), Recognizing the Germania Farmer Verein of Anhalt.

To Rules and Resolutions.

**HR 2057** (By Bolton), Congratulating Verda Herrington on her retirement as assistant band director at Clint Small, Jr. Middle School in Austin.

To Rules and Resolutions.

**HR 2058** (By Bolton), Congratulating Paulette Rainey on her retirement from Clint Small Jr. Middle School in Austin.

To Rules and Resolutions.

**HR 2059** (By Bolton), Congratulating Jacob Allen Hammack on becoming an Eagle Scout.

To Rules and Resolutions.

**HR 2060** (By Leibowitz), Congratulating Justin Daniel Rodriguez on being named the 2009 salutatorian of William H. Taft High School in San Antonio.

To Rules and Resolutions.

**HR 2061** (By Castro), In memory of General Robert T. Herres, U.S. Air Force (Ret.), of San Antonio.

To Rules and Resolutions.

**HR 2062** (By Castro), Recognizing May 6, 2009, as the National Day to Prevent Teen Pregnancy.

To Rules and Resolutions.

**HR 2063** (By Castro), In memory of Howard Mangold of San Antonio.

To Rules and Resolutions.

**HR 2064** (By Castro), Honoring the life of U.S. Army Specialist Marquis J. McCants of San Antonio.

To Rules and Resolutions.

**HR 2065** (By Castro), Congratulating Valero Energy Corporation of San Antonio on its inclusion in the 2009 annual Fortune 500 listing.

To Rules and Resolutions.

**HR 2066** (By Castro), Honoring the life of U.S. Army Private First Class Christopher Dane Adan of Eagle Pass.

To Rules and Resolutions.

**HR 2067** (By Castro), Congratulating Roberto Gonzales of San Antonio on the reopening of Advanced First Auto and Collision Center and commending him on his commitment to his employees.

To Rules and Resolutions.

**HR 2068** (By T. Smith), In memory of Private Sean P. McCune of Eules.

To Rules and Resolutions.

**HR 2069** (By Castro), Honoring Francisco O. Chapa for his military service and civic activism.

To Rules and Resolutions.

**HR 2070** (By Geren), In memory of William Kelly Young of Fort Worth.

To Rules and Resolutions.

**HR 2071** (By Marquez), Congratulating Lara Jackson on her receipt of the Ruby Award for her athletic success at the University of Arizona.

To Rules and Resolutions.

**HR 2072** (By Marquez), Congratulating Marge and Jesse Blair of El Paso on their 60th wedding anniversary.

To Rules and Resolutions.

**HR 2074** (By Hunter), Urging the U.S. secretary of the interior to simplify existing policies and procedures to allow for the expeditious release of Coastal Impact Assistance Program funds to the State of Texas.

To State Affairs.

**HR 2075** (By Hunter), Congratulating W. Wesley Hoskins of First Community Bank on his election as chair of the Texas Bankers Association board of directors.

To Rules and Resolutions.

**HR 2076** (By Hunter), Congratulating Nick Jimenez on his retirement as editorial page editor of the Corpus Christi Caller-Times.

To Rules and Resolutions.

**HR 2077** (By Hunter), Recognizing the Calhoun County Airport for winning the 2009 Most Improved Airport Award from the Aviation Division of the Texas Department of Transportation.

To Rules and Resolutions.

**HR 2079** (By Rodriguez), Honoring legislative aide Gustavo Garza for his work in the office of Representative Eddie Rodriguez.

To Rules and Resolutions.

**HR 2080** (By Dutton), In memory of Raphael Wilbur Dutton, Jr., of Houston.

To Rules and Resolutions.

**HR 2081** (By Dutton), Commemorating the 110th anniversary of the founding of Saint John Missionary Baptist Church in Houston.

To Rules and Resolutions.

**HR 2082** (By Gonzales), In memory of Penny Payte McLeaish of McAllen.

To Rules and Resolutions.

**HR 2083** (By Gonzales), Congratulating Larry Pressler on his retirement as director of Parks & Recreation for McAllen.

To Rules and Resolutions.

**HR 2085** (By Cook), In memory of Robert Lee Clark, Jr., of Streetman.

To Rules and Resolutions.

**HR 2086** (By Kent), Honoring the Richardson High School Law Magnet program.

To Rules and Resolutions.

**HR 2087** (By Kent), Honoring the Exchange Club of Lake Highlands for its many contributions.

To Rules and Resolutions.

**HR 2088** (By Dutton), Congratulating Brittany Taylor on being named an honoree at the 2009 Reginald Keith Guillory Scholarship Luncheon.

To Rules and Resolutions.

**HR 2089** (By Dutton), Congratulating Sadie Chrisasia Brown on being named an honoree at the 2009 Reginald Keith Guillory Scholarship Luncheon.

To Rules and Resolutions.

**HR 2090** (By Dutton), Congratulating Priscilla M. Dubose on being named an honoree at the Reginald Keith Guillory Scholarship Luncheon.

To Rules and Resolutions.

**HR 2091** (By Dutton), Congratulating Brittney Roche' Garrett on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2092** (By Dutton), Congratulating Angelique Stubbs of Houston on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2093** (By Dutton), Congratulating Sparkle L. Williams on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2094** (By Dutton), Congratulating Wynzell T. Lee on his receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2095** (By Dutton), Congratulating Skyler K. Reynolds of Houston on her receipt of a 2009 Reginald Keith Guillory Scholarship.

To Rules and Resolutions.

**HR 2096** (By Gonzales), Honoring Nathan Selzer and Hortencia Armendariz on their work as community organizers in the Rio Grande Valley.

To Rules and Resolutions.

**SB 8** to Public Health.

**SB 237** to Business and Industry.

**SB 541** to State Affairs.

**SB 725** to Natural Resources.

**SB 978** to Land and Resource Management.

**SB 1023** to Land and Resource Management.

**SB 1028** to Criminal Jurisprudence.

**SB 1112** to County Affairs.

**SB 1193** to Public Health.

**SB 1210** to Natural Resources.

**SB 1304** to Higher Education.

**SB 1375** to Business and Industry.

- SB 1471** to Land and Resource Management.
- SB 1630** to State Affairs.
- SB 1663** to Human Services.
- SB 1714** to Natural Resources.
- SB 1720** to Public Health.
- SB 1744** to County Affairs.
- SB 1782** to Ways and Means.
- SB 1803** to Public Health.
- SB 1824** to Human Services.
- SB 1886** to Public Health.
- SB 2085** to Elections.
- SB 2136** to Insurance.
- SB 2141** to Judiciary and Civil Jurisprudence.
- SB 2209** to Pensions, Investments, and Financial Services.
- SB 2221** to Judiciary and Civil Jurisprudence.
- SB 2223** to Defense and Veterans' Affairs.
- SB 2240** to Higher Education.
- SB 2253** to Border and Intergovernmental Affairs.
- SB 2406** to State Affairs.
- SB 2407** to Human Services.
- SB 2440** to Natural Resources.
- SB 2501** to Natural Resources.
- SB 2532** to Natural Resources.
- SB 2543** to Natural Resources.
- SB 2550** to County Affairs.
- SB 2552** to County Affairs.
- SB 2558** to Licensing and Administrative Procedures.
- SB 2565** to State Affairs.
- SB 2566** to Judiciary and Civil Jurisprudence.
- SB 2567** to Appropriations.
- SB 2573** to State Affairs.
- SB 2580** to Licensing and Administrative Procedures.
- SJR 42** to Land and Resource Management.

**MESSAGES FROM THE SENATE**

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

**Message No. 4**

MESSAGE FROM THE SENATE  
SENATE CHAMBER  
Austin, Texas  
Friday, May 15, 2009 - 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 666** Shapleigh  
Relating to the administration of charitable trusts.

**SB 2491** Uresti  
Relating to the powers and duties of certain public improvement districts.

Respectfully,  
Patsy Spaw  
Secretary of the Senate

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**APPENDIX**

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**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**May 14**

Business and Industry - **SB 1448, SB 1672, SB 1945**

County Affairs - **SB 534, SB 1500**

Criminal Jurisprudence - **SB 11**

Culture, Recreation, and Tourism - **SB 909, SB 1900, SB 1929, SB 2534, SCR 11, SCR 40, SCR 64**

Elections - **SB 362, SB 1152**

Energy Resources - **SB 546**

Environmental Regulation - **SB 1387**

Higher Education - **SB 1334, SB 2007, SB 2045**

Human Services - **SB 493, SB 1411, SB 1484, SB 1878**

Insurance - **SB 1335**

Judiciary and Civil Jurisprudence - **SB 1675**

Licensing and Administrative Procedures - **SB 1920**

Pensions, Investments, and Financial Services - **SB 474, SB 1628**

Public Health - **SB 97, SB 188, SB 455, SB 755, SB 1082, SB 1291, SB 1476, SB 1542, SB 2423**

State Affairs - **SB 921**

Technology, Economic Development, and Workforce - **SB 783**

Transportation - **SB 316, SB 334, SB 375, SB 713, SB 1093, SB 1218, SB 1356, SB 1367, SB 1383**

#### **ENGROSSED**

May 14 - **HB 313, HB 821, HB 972, HB 1657, HB 1669, HB 1795, HB 1993, HB 2000, HB 2730, HB 2783, HB 2919, HB 2989, HB 3232, HB 3255, HB 3480, HB 3594, HB 3601, HB 3672, HB 3790, HB 3857, HB 3864, HB 4009, HB 4299, HB 4833, HJR 7, HJR 37, HJR 128**

#### **ENROLLED**

May 14 - **HB 608, HB 651, HB 762, HB 1067, HB 1081, HB 1465, HB 1671, HB 2527, HB 4004**

#### **SENT TO THE GOVERNOR**

May 14 - **HB 608, HB 651, HB 762, HB 1067, HB 1081, HB 1465, HB 1671, HB 2527, HB 4004**