

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SIXTY-SIXTH DAY — MONDAY, MAY 6, 2013

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

The roll of the house was called and a quorum was announced present (Record 551).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Giddings.

The speaker recognized Representative Pitts who introduced Scott Wilson, senior pastor, The Oaks Fellowship, Red Oak, who offered the invocation as follows:

Dear God, we come to you this morning with grateful hearts; grateful that we can call on your name and ask for your help; grateful that you hear us when we pray; grateful that you care about our lives and that you promise to give us wisdom when we ask for it. So we start off this session with prayer, asking for wisdom. We need your help. We need your grace. We pray that you would be here with us throughout the business of the day, leading us, strengthening us, guiding our every decision. We desperately want to do what pleases you because that is the way of blessing for our lives and for those we serve.

We humbly recognize that we are finite beings. We make decisions the best we know how with the information we have and with the best advice and counsel that we can find, but who is like you? You are the almighty, all-knowing God who is infinite. You hold all wisdom in your hands with an eternal perspective, so we say, "You know what you are doing way more than we do." Help us, lead us, and direct our lives.

I pray for these wonderful servants of the State of Texas, that you would bless them, strengthen them, and let your hand of blessing be on their lives and their families. They have a huge burden that they carry. Give them the grace they need to shoulder it with compassion and respect. Give them divine health. Those who are sick today or suffering in their bodies, I pray you would heal them. For those who are facing personal matters in their homes, give them direction and peace. Help them to know what to do and how to handle it. You care about such things. You care about their marriages and their kids; bless them today.

I thank you, Lord, for these servants who have willingly submitted themselves to the task of governing the great State of Texas and making God-honoring decisions that will be a blessing not only in this generation, but in the generations to come. These men and women have been placed here not only by their constituency, but by you, O God. So bless them on this day, that they might have strength for the task. In Jesus' name. Amen.

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

LEAVE OF ABSENCE GRANTED

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

Giddings on motion of McClendon.

REGULAR ORDER OF BUSINESS SUSPENDED

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

CAPITOL PHYSICIAN

The speaker recognized Representative Raymond who presented Dr. Luis Benavides of Laredo as the "Doctor for the Day."

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

(Sheets in the chair)

HR 1790 - ADOPTED (by Wu)

Representative Wu moved to suspend all necessary rules to take up and consider at this time **HR 1790**.

The motion prevailed.

The following resolution was laid before the house:

HR 1790, Commending Michael Soliz of Houston on his service as a legislative intern for Representative Gene Wu.

HR 1790 was adopted.

**HR 1821 - ADOPTED
(by Wu and S. Davis)**

Representative Wu moved to suspend all necessary rules to take up and consider at this time **HR 1821**.

The motion prevailed.

The following resolution was laid before the house:

HR 1821, Commemorating the Memorial Hermann Foundation 2013 Circle of Life Gala and the fund-raising campaign Revolutionizing Neuroscience and honoring Elizabeth and Gary Petersen for their philanthropy.

HR 1821 was adopted.

**HR 1745 - ADOPTED
(by Workman)**

Representative Workman moved to suspend all necessary rules to take up and consider at this time **HR 1745**.

The motion prevailed.

The following resolution was laid before the house:

HR 1745, Congratulating the members of the Bedichek Middle School Junior Marine Corps on their success at the National Middle School Drill Team Competition.

HR 1745 was adopted.

**HR 1820 - ADOPTED
(by Dutton)**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 1820**.

The motion prevailed.

The following resolution was laid before the house:

HR 1820, Commending Marie Taylor Bosarge of Houston on her contributions to her community.

HR 1820 was adopted.

On motion of Representative Dutton, the names of all the members of the house were added to **HR 1820** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Dutton who introduced Dr. Marie Taylor Bosarge.

(Burkett in the chair)

HR 1039 - PREVIOUSLY ADOPTED
(by Sheets)

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

HR 1039, In memory of Dr. Ralph Harris Poteet, the former superintendent of the Mesquite Independent School District.

On motion of Representative Rose, the names of all the members of the house were added to **HR 1039** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Sheets who introduced family members of Dr. Ralph Harris Poteet and representatives of the Mesquite Independent School District.

HR 1866 - ADOPTED
(by Sheets)

Representative Sheets moved to suspend all necessary rules to take up and consider at this time **HR 1866**.

The motion prevailed.

The following resolution was laid before the house:

HR 1866, Congratulating Isai Velasquez of the West Mesquite High School boys' soccer team on scoring more than 100 career goals.

HR 1866 was adopted.

On motion of Representative Rose, the names of all the members of the house were added to **HR 1866** as signers thereof.

HB 3898 - RECOMMITTED

Representative Hilderbran moved to recommit **HB 3898** to the Committee on Natural Resources.

The motion prevailed.

PREVIOUSLY ADOPTED RESOLUTIONS

The chair laid out the following previously adopted resolutions:

HR 1636 (by Fletcher), In memory of Deputy Sheriff John David Norsworthy, Jr., of the Fort Bend County Sheriff's Office.

HR 1637 (by Fletcher), In memory of Sergeant Jimmie DeVeril Norman of the Bellaire Police Department.

HR 1638 (by Fletcher), In memory of Deputy Sheriff Joshua Shane Mitchell of the Reagan County Sheriff's Office.

HR 1639 (by Fletcher), In memory of Deputy Sheriff Sherri Katherine Jones of the Bowie County Sheriff's Office.

HR 1640 (by Fletcher), In memory of Special Agent Jaime Jorge Zapata of the United States Immigration and Customs Enforcement.

HR 1641 (by Fletcher), In memory of Officer Kevin Scott Will of the Houston Police Department.

HR 1642 (by Fletcher), In memory of Deputy Sheriff Charles Allen VanMeter of the Brazoria County Sheriff's Office.

HR 1643 (by Fletcher), In memory of Deputy Sheriff Michael Ray Smith of the Upton County Sheriff's Department.

HR 1644 (by Fletcher), In memory of Officer Angel David Garcia of the El Paso Police Department.

HR 1645 (by Fletcher), In memory of Agent James R. Dominguez of the United States Border Patrol.

HR 1646 (by Fletcher), In memory of Deputy Sheriff Robert Leo Britton, Jr., of the Smith County Sheriff's Office.

HR 1647 (by Fletcher), In memory of Corporal Kevin L. Aigner of the Travis County Constable's Office, Precinct 2.

HR 1648 (by Fletcher), In memory of Trooper Javier Arana, Jr., of the Texas Department of Public Safety.

HR 1649 (by Fletcher), In memory of Constable Brian David Bachmann of the Brazos County Constable's Office, Precinct 1.

HR 1650 (by Fletcher), In memory of Officer Stephanie Ann Brown of the San Antonio Police Department.

HR 1651 (by Fletcher), In memory of Agent Leopoldo Cavazos, Jr., of the United States Border Patrol.

HR 1652 (by Fletcher), In memory of Senior Officer Jaime DeLuna-Padron of the Austin Police Department.

HR 1653 (by Fletcher), In memory of Sergeant Mark Luis Scianna of the Bexar County Constable's Office, Precinct 3.

HR 1654 (by Fletcher), In memory of Deputy Sheriff Clifton L. Taylor of the Johnson County Sheriff's Office.

HR 1655 (by Fletcher), In memory of Sergeant Kenneth Gary Vann of the Bexar County Sheriff's Office.

HR 1656 (by Fletcher), In memory of Officer Joshua Stanley Williams of the Waxahachie Police Department.

HR 1657 (by Fletcher), In memory of Officer Bryan M. Hebert of the Beaumont Police Department.

HR 1658 (by Fletcher), In memory of Officer Kevin Paul Marceau of the Dallas Police Department.

HR 1659 (by Fletcher), In memory of Officer Jonathan Keith Molina of the El Paso Police Department.

HR 1660 (by Fletcher), In memory of Officer Edrees Mukhtar of the San Antonio Police Department.

On motion of Representatives Carter, P. King, Moody, and Pickett, the names of all the members of the house were added to **HR 1636 - HR 1660** as signers thereof.

HR 1430 - PREVIOUSLY ADOPTED
(by M. González)

The chair laid out the following previously adopted resolution:

HR 1430, Honoring the artists of the San Elizario Historic Art District participating in the District 75 Art Show, El Paso County, at the State Capitol.

On motion of Representative M. González, the names of all the members of the house were added to **HR 1430** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative M. González who introduced Al Borrego, founder of the San Elizario Historic Art District.

HB 1809 - NOTICE GIVEN

Pursuant to the provisions of Rule 7, Section 37(c) of the House Rules, at 11:03 a.m., Representative Harper-Brown announced her intention to make the motion to reconsider the vote by which **HB 1809** failed to pass on Saturday, May 4 by Record No. 523.

(Speaker in the chair)

MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING

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

SB 213 ON THIRD READING
(Price - House Sponsor)

SB 213, A bill to be entitled An Act relating to the continuation and functions of the Texas Board of Criminal Justice, the Texas Department of Criminal Justice, and the Windham School District and to the functions of the Board of Pardons and Paroles and the Correctional Managed Health Care Committee.

Amendment No. 1

Representative S. King offered the following amendment to **SB 213**:

Amend **SB 213** on third reading as follows:

(1) In the SECTION of the bill that amends Section 501.131, Government Code (house committee printing, page 10, line 10), strike added Subdivision (1) and substitute the following:

(1) "Committee" [~~,"committee"~~] means the Correctional [~~Managed~~] Health Care Committee.

(2) Strike Subsections (a) and (b) of the SECTION of the bill that adds transition language pertaining to the appointment of members to the Correctional Managed Health Care Committee under amended Section 501.133(a), Government Code (house committee printing, page 34, lines 8-18), and substitute the following:

(a) Not later than January 31, 2014, the governor shall appoint to the Correctional Health Care Committee one member from each of the first two medical schools, so as to comply with the membership requirements of Section 501.133(a), Government Code, as amended by this Act, based on an alphabetical listing of the names of the medical schools.

(b) Not later than January 31, 2014, the governor shall appoint to the Correctional Health Care Committee two members who are licensed mental health professionals, so as to comply with the membership requirements of Section 501.133(a), Government Code, as added by this Act.

(3) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 15(i), Article 42.12, Code of Criminal Procedure, as added by Chapter 1308 (**SB 909**), Acts of the 80th Legislature, Regular Session, 2007, is amended to read as follows:

(i) If a defendant is convicted of a state jail felony and the sentence is executed, the judge sentencing the defendant may release the defendant to a medically suitable placement if the judge determines that the defendant does not constitute a threat to public safety and the Texas Correctional Office on Offenders with Medical or Mental Impairments:

(1) in coordination with the Correctional [~~Managed~~] Health Care Committee prepares a case summary and medical report that identifies the defendant as being elderly, physically disabled, mentally ill, terminally ill, or mentally retarded or having a condition requiring long-term care; and

(2) in cooperation with the community supervision and corrections department serving the sentencing court, prepares for the defendant a medically recommended intensive supervision and continuity of care plan that:

(A) ensures appropriate supervision of the defendant by the community supervision and corrections department; and

(B) requires the defendant to remain under the care of a physician at and reside in a medically suitable placement.

SECTION _____. Section 501.132, Government Code, is amended to read as follows:

Sec. 501.132. APPLICATION OF SUNSET ACT. The Correctional [~~Managed~~] Health Care Committee is subject to review under Chapter 325 (Texas Sunset Act) regarding the committee's role and responsibilities. The committee shall be reviewed during the period in which the Texas Department of Criminal Justice is reviewed.

SECTION _____. Section 508.146(a), Government Code, is amended to read as follows:

(a) An inmate other than an inmate who is serving a sentence of death or life without parole may be released on medically recommended intensive supervision on a date designated by a parole panel described by Subsection (e), except that an inmate with an instant offense that is an offense described in Section 3g, Article 42.12, Code of Criminal Procedure, or an inmate who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure, may only be considered if a medical condition of terminal illness or long-term care has been diagnosed by a physician, if:

(1) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the Correctional ~~Managed~~ Health Care Committee, identifies the inmate as being:

(A) elderly, physically disabled, mentally ill, terminally ill, or mentally retarded or having a condition requiring long-term care, if the inmate is an inmate with an instant offense that is described in Section 3g, Article 42.12, Code of Criminal Procedure; or

(B) in a persistent vegetative state or being a person with an organic brain syndrome with significant to total mobility impairment, if the inmate is an inmate who has a reportable conviction or adjudication under Chapter 62, Code of Criminal Procedure;

(2) the parole panel determines that, based on the inmate's condition and a medical evaluation, the inmate does not constitute a threat to public safety; and

(3) the Texas Correctional Office on Offenders with Medical or Mental Impairments, in cooperation with the pardons and paroles division, has prepared for the inmate a medically recommended intensive supervision plan that requires the inmate to submit to electronic monitoring, places the inmate on super-intensive supervision, or otherwise ensures appropriate supervision of the inmate.

SECTION _____. Section 614.002(e), Health and Safety Code, is amended to read as follows:

(e) The executive head of each of the following agencies, divisions of agencies, or associations, or that person's designated representative, shall serve as a member of the committee:

(1) the correctional institutions division of the Texas Department of Criminal Justice;

(2) the Department of State Health Services;

(3) the parole division of the Texas Department of Criminal Justice;

(4) the community justice assistance division of the Texas Department of Criminal Justice;

(5) the Texas Juvenile Justice Department ~~Probation Commission~~;

(6) ~~the Texas Youth Commission~~;

~~(7)~~ the Department of Assistive and Rehabilitative Services;

~~(8)~~ ~~(7)~~ the Correctional ~~Managed~~ Health Care Committee;

~~(9)~~ ~~(8)~~ the Mental Health Association in Texas;

~~(10)~~ ~~(9)~~ the Board of Pardons and Paroles;

(10) [~~(11)~~] the Commission on Law Enforcement Officer Standards and Education;

(11) [~~(12)~~] the Texas Council of Community Mental Health and Mental Retardation Centers;

(12) [~~(13)~~] the Commission on Jail Standards;

(13) [~~(14)~~] the Texas Council for Developmental Disabilities;

(14) [~~(15)~~] the Texas Association for Retarded Citizens;

(15) [~~(16)~~] the National Alliance for the Mentally Ill of Texas;

(16) [~~(17)~~] the Parent Association for the Retarded of Texas, Inc.;

(17) [~~(18)~~] the Health and Human Services Commission; and

(18) [~~(19)~~] the Department of Aging and Disability Services.

SECTION _____. Section 614.017(c)(1), Health and Safety Code, is amended to read as follows:

(1) "Agency" includes any of the following entities and individuals, a person with an agency relationship with one of the following entities or individuals, and a person who contracts with one or more of the following entities or individuals:

(A) the Texas Department of Criminal Justice and the Correctional ~~Managed~~ Health Care Committee;

(B) the Board of Pardons and Paroles;

(C) the Department of State Health Services;

(D) the Texas Juvenile Justice Department;

(E) the Department of Assistive and Rehabilitative Services;

(F) the Texas Education Agency;

(G) the Commission on Jail Standards;

(H) the Department of Aging and Disability Services;

(I) the Texas School for the Blind and Visually Impaired;

(J) community supervision and corrections departments and local juvenile probation departments;

(K) personal bond pretrial release offices established under Article 17.42, Code of Criminal Procedure;

(L) local jails regulated by the Commission on Jail Standards;

(M) a municipal or county health department;

(N) a hospital district;

(O) a judge of this state with jurisdiction over juvenile or criminal cases;

(P) an attorney who is appointed or retained to represent a special needs offender or a juvenile with a mental impairment;

(Q) the Health and Human Services Commission;

(R) the Department of Information Resources;

(S) the bureau of identification and records of the Department of Public Safety, for the sole purpose of providing real-time, contemporaneous identification of individuals in the Department of State Health Services client data base; and

(T) the Department of Family and Protective Services.

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Price, Anchia, and P. King offered the following amendment to **SB 213**:

Amend **SB 213** on third reading, in proposed Section 499.1091, Government Code, as added by the King amendment as amended by the Anchia amendment, by striking all of the text of the section after "CLOSURE OF UNIT." and substituting the following:

If the board determines that the bed space capacity of the correctional institutions division exceeds the projected needs of the division, the board may close one or more units and transfer the inmate population from the units designated for closure to other units within the division. The board shall make its determination of which unit or units to close based on:

(1) the level of community support for the continued operation of a unit as evidenced by a letter or resolution of the commissioners court or city council of the locality in which the unit is located;

(2) the cost-effectiveness of unit, including all costs to the department, utilizing the Legislative Budget Board's most recent edition of the Criminal Justice Uniform Cost Report, relative to units of similar capacity that house inmates of the same classification;

(3) the level of appropriation for unit;

(4) safety and security issues;

(5) staffing needs; and

(6) any other information the board considers relevant.

Amendment No. 2 was adopted.

SB 213, as amended, was passed by (Record 552): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Cortez; Rodriguez, J.; Turner, S.

STATEMENT OF VOTE

When Record No. 552 was taken, I was in the house but away from my desk. I would have voted yes.

Cortez

GENERAL STATE CALENDAR HOUSE BILLS THIRD READING

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

HB 2072 ON THIRD READING (by E. Rodriguez, J. Davis, and Naishtat)

HB 2072, A bill to be entitled An Act relating to services for persons who are deaf or hard of hearing and licensing requirements for interpreters for persons who are deaf or hard of hearing; providing an administrative penalty; requiring a fee and changing the rate of a fee.

HB 2072 was passed by (Record 553): 86 Yeas, 54 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bohac; Burnam; Button; Canales; Carter; Clardy; Coleman; Collier; Cook; Cortez; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Fletcher; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Larson; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Patrick; Perez; Pickett; Pitts; Price; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Smith; Smithee; Strama; Thompson, S.; Turner, C.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Bell; Bonnen, D.; Bonnen, G.; Branch; Burkett; Callegari; Capriglione; Craddick; Dale; Elkins; Farney; Flynn; Frank; Frullo; Geren; Goldman; Harless; Harper-Brown; Hughes; King, P.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Laubenberg; Lavender; Leach; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Perry; Phillips; Ratliff; Riddle; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Turner, E.S.; Villalba; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Anderson; Creighton; Fallon; Hunter; Miller, D.; Raney; Toth; Turner, S.

STATEMENTS OF VOTE

When Record No. 553 was taken, I was in the house but away from my desk. I would have voted yes.

Anderson

I was shown voting yes on Record No. 553. I intended to vote no.

Bohac

When Record No. 553 was taken, I was in the house but away from my desk. I would have voted no.

Creighton

I was shown voting yes on Record No. 553. I intended to vote no.

Fletcher

I was shown voting yes on Record No. 553. I intended to vote no.

Hilderbran

When Record No. 553 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 553. I intended to vote no.

Kacal

HB 1869 ON THIRD READING

(by Price, Creighton, P. King, Eiland, Clardy, et al.)

HB 1869, A bill to be entitled An Act relating to contractual subrogation and other recovery rights of certain insurers and benefit plan issuers.

HB 1869 was passed by (Record 554): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney;

Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Cortez; Creighton; Keffer; Turner, S.

STATEMENT OF VOTE

When Record No. 554 was taken, my vote failed to register. I would have voted yes.

Cortez

HB 48 ON THIRD READING

(by Flynn, Guillen, Gonzales, Phillips, Lavender, et al.)

HB 48, A bill to be entitled An Act relating to the procedure under which a person may renew a license to carry a concealed handgun.

HB 48 was passed by (Record 555): 141 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycocck; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Burnam; Collier; Gonzalez, N.; Márquez; Rose.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings.

Absent — Gutierrez; Turner, S.

HB 485 ON THIRD READING**(by S. Davis, Guillen, R. Sheffield, et al.)**

HB 485, A bill to be entitled An Act relating to the amount of the fee paid by certain peace officers and veterans of the United States armed forces for a license to carry a concealed handgun; authorizing a fee.

HB 485 was passed by (Record 556): 136 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Villalba; Villarreal; Walle; White; Workman; Zedler; Zerwas.

Nays — Anchia; Burnam; Martinez Fischer; Nevárez; Turner, C.; Wu.

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

Absent, Excused — Giddings.

Absent — Guerra; Gutierrez; Hernandez Luna; Turner, S.; Vo.

STATEMENTS OF VOTE

When Record No. 556 was taken, my vote failed to register. I would have voted no.

Guerra

I was shown voting present, not voting on Record No. 556. I intended to vote no.

Rose

LEAVE OF ABSENCE GRANTED

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

Menéndez on motion of Pickett.

HB 508 ON THIRD READING**(by Guillen, Springer, Eiland, Clardy, et al.)**

HB 508. A bill to be entitled An Act relating to certain offenses relating to carrying concealed handguns on property owned or leased by a governmental entity; providing a civil penalty.

HB 508 was passed by (Record 557): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Anchia; Callegari; Gonzales; Gutierrez; Villarreal.

HB 698 ON THIRD READING**(by Springer, Hughes, Flynn, et al.)**

HB 698. A bill to be entitled An Act relating to certain procedures for submitting legible and classifiable fingerprints with an application for a license to carry a concealed handgun.

HB 698 was passed by (Record 558): 139 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.;

King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; White; Workman; Wu; Zedler; Zerwas.

Nays — Burnam; Farias; Herrero; Rodriguez, E.; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Cortez; Gutierrez; Villarreal.

STATEMENT OF VOTE

When Record No. 558 was taken, my vote failed to register. I would have voted yes.

Cortez

HB 801 ON THIRD READING

(by Muñoz, Guillen, Canales, and Lucio)

HB 801, A bill to be entitled An Act relating to the discharge of a firearm across the property line of a school.

HB 801 was passed by (Record 559): 140 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Lozano; Phillips; Sheffield, R.; Simmons.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Miles; Nevárez; Toth.

STATEMENTS OF VOTE

I was shown voting no on Record No. 559. I intended to vote yes.

Lozano

I was shown voting no on Record No. 559. I intended to vote yes.

R. Sheffield

HB 78 ON THIRD READING

(by Simpson, Hilderbran, S. Thompson, Lucio, Canales, et al.)

HB 78, A bill to be entitled An Act relating to the exemption from the sales and use tax for certain coins and precious metals.

HB 78 was passed by (Record 560): 144 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Villalba; Villarreal; Vo; Walle; White; Workman; Zedler; Zerwas.

Nays — Burnam; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Turner, S.

HB 972 ON THIRD READING**(by Fletcher, Flynn, Lavender, Burkett, Bell, et al.)**

HB 972, A bill to be entitled An Act relating to the carrying of concealed handguns on the premises of and certain other locations associated with institutions of higher education.

Representative Flynn moved to postpone consideration of **HB 972** until 1 p.m. today.

The motion prevailed.

HB 1009 ON THIRD READING**(by Villalba, G. Bonnen, Fletcher, Menéndez, Keffer, et al.)**

HB 1009, A bill to be entitled An Act relating to the creation of a new category of law enforcement officer who shall be designated a school marshal, the training and appointment of certain employees of a school district or open-enrollment charter school as school marshals, and the rights, restrictions, limitations, and responsibilities of school marshals; authorizing the imposition of a fee.

HB 1009 was passed by (Record 561): 123 Yeas, 22 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Dukes; Dutton; Eiland; Elkins; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Lucio; Martinez; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Nevárez; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; White; Workman; Wu; Zedler; Zerwas.

Nays — Alonzo; Canales; Coleman; Collier; Davis, Y.; Deshotel; Farias; González, M.; Gonzalez, N.; Longoria; Márquez; Martinez Fischer; Naishtat; Oliveira; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Thompson, S.; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Cortez; Gutierrez.

STATEMENTS OF VOTE

When Record No. 561 was taken, I was in the house but away from my desk. I would have voted no.

Cortez

I was shown voting no on Record No. 561. I intended to vote yes.

Deshotel

I was shown voting yes on Record No. 561. I intended to vote no.

Herrero

HB 1314 ON THIRD READING

(by Creighton, Price, et al.)

HB 1314, A bill to be entitled An Act relating to the unlawful seizure of a firearm by a governmental officer or employee; providing penalties.

HB 1314 was passed by (Record 562): 107 Yeas, 35 Nays, 1 Present, not voting.

Yeas — Allen; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; McClendon; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Turner, S.; Villalba; Workman; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Davis, Y.; Dutton; Farias; González, M.; Gonzalez, N.; Guerra; Hernandez Luna; Howard; Longoria; Lucio; Márquez; Martinez Fischer; Miles; Naishtat; Nevárez; Perez; Pickett; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Strama; Thompson, S.; Turner, C.; Villarreal; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Cortez; Farrar; Gutierrez; Schaefer; White.

STATEMENTS OF VOTE

When Record No. 562 was taken, I was in the house but away from my desk. I would have voted no.

Cortez

I was shown voting yes on Record No. 562. I intended to vote no.

Herrero

I was shown voting yes on Record No. 562. I intended to vote no.

Muñoz

I was shown voting yes on Record No. 562. I intended to vote no.

Raymond

When Record No. 562 was taken, I was in the house but away from my desk. I would have voted yes.

Schaefer

HB 1421 ON THIRD READING

(by Perry, et al.)

HB 1421, A bill to be entitled An Act relating to the disposition of certain seized weapons.

HB 1421 was passed by (Record 563): 127 Yeas, 14 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Walle; Workman; Zedler; Zerwas.

Nays — Collier; Dutton; Farias; González, M.; Gonzalez, N.; Longoria; Lucio; Márquez; Martinez Fischer; Nevárez; Rodriguez, J.; Rose; Thompson, S.; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Cortez; Farney; Guerra; Gutierrez; Vo; White.

STATEMENTS OF VOTE

When Record No. 563 was taken, I was in the house but away from my desk. I would have voted no.

Cortez

When Record No. 563 was taken, my vote failed to register. I would have voted no.

Guerra

When Record No. 563 was taken, I was in the house but away from my desk. I would have voted yes.

White

HB 777 ON THIRD READING

(by White, et al.)

HB 777, A bill to be entitled An Act relating to oversize or overweight vehicles transporting timber or timber products; authorizing fees and civil penalties.

HB 777 was passed by (Record 564): 142 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycocock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Lavender; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Canales; Laubenberg; Muñoz.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Isaac; Lewis.

STATEMENTS OF VOTE

When Record No. 564 was taken, I was in the house but away from my desk. I would have voted yes.

Isaac

I was shown voting no on Record No. 564. I intended to vote yes.

Muñoz

HB 1349 ON THIRD READING
(by Larson, et al.)

HB 1349, A bill to be entitled An Act relating to information that may be requested by the Department of Public Safety from a person applying for or renewing a concealed handgun license.

HB 1349 was passed by (Record 565): 115 Yeas, 29 Nays, 1 Present, not voting.

Yeas — Allen; Anderson; Ashby; Ayccock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Cook; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Gutierrez; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; McClendon; Miles; Miller, D.; Miller, R.; Morrison; Muñoz; Murphy; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Turner, S.; Villalba; Walle; White; Workman; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Collier; Creighton; Davis, Y.; Farias; González, M.; Gonzalez, N.; Guerra; Hernandez Luna; Longoria; Lucio; Márquez; Martinez Fischer; Moody; Naishtat; Nevárez; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Stephenson; Strama; Turner, C.; Vo; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Coleman; Cortez; Villarreal.

STATEMENTS OF VOTE

When Record No. 565 was taken, my vote failed to register. I would have voted no.

Cortez

I was shown voting no on Record No. 565. I intended to vote yes.

Creighton

I was shown voting yes on Record No. 565. I intended to vote no.

Herrero

HB 1245 ON THIRD READING
(by S. Turner)

HB 1245, A bill to be entitled An Act relating to the allocation of money in the judicial and court personnel training fund.

Amendment No. 1

Representative S. Turner offered the following amendment to **HB 1245**:

Amend **HB 1245** (house committee printing) on page 1, line 17, by striking "2013" and substituting "2014".

Amendment No. 1 was adopted.

Amendment No. 2

Representative S. Turner offered the following amendment to **HB 1245**:

Amend **HB 1245** (house committee printing) as follows:

(1) On page 1, lines 5-6, strike the recital and substitute the following:

Section 56.004, Government Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

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

(c) An allocation of funds to provide for continuing legal education, technical assistance, and other support programs for the personnel of criminal defense attorneys who regularly represent indigent defendants in criminal matters as described by Subsection (b)(1) must come from the grant of legal funds made by the court of criminal appeals under Section 56.003(f).

Amendment No. 2 was adopted.

HB 1245, as amended, was passed by (Record 566): 129 Yeas, 15 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Callegari; Canales; Carter; Clardy; Coleman; Collier; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Simmons;

Simpson; Smith; Smithee; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Bell; Bonnen, D.; Button; Capriglione; Cook; Creighton; Fallon; Krause; Laubenberg; Parker; Phillips; Sanford; Sheffield, R.; Springer; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Hughes; King, P.; Morrison.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 566. I intended to vote no.

Hunter

When Record No. 566 was taken, I was temporarily out of the house chamber. I would have voted no.

P. King

When Record No. 566 was taken, I was in the house but away from my desk. I would have voted no.

Morrison

I was shown voting no on Record No. 566. I intended to vote yes.

R. Sheffield

HB 1076 ON THIRD READING

(by Toth, Klick, Springer, Phillips, D. Bonnen, et al.)

HB 1076, A bill to be entitled An Act relating to certain firearms, firearm accessories and firearm ammunition within the State of Texas; providing an exemption from federal regulation and providing penalties.

HB 1076 was passed by (Record 567): 100 Yeas, 47 Nays, 1 Present, not voting.

Yeas — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Dukes; Dutton; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; McClendon; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pitts; Price; Raney; Ratliff; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Turner, S.; Villalba; White; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Eiland; Farias; Farrar; Geren; González, M.; Gonzalez, N.; Guerra; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Strama; Turner, C.; Villarreal; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

STATEMENTS OF VOTE

I was shown voting no on Record No. 567. I intended to vote yes.

Geren

I was shown voting yes on Record No. 567. I intended to vote no.

S. Turner

HB 1913 ON THIRD READING (by Bohac and Zedler)

HB 1913, A bill to be entitled An Act relating to the waiver of penalties and interest on certain delinquent ad valorem taxes.

HB 1913 was passed by (Record 568): 142 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anderson; Ashby; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Alvarado; Anchia; Canales.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Aycock; Rose.

STATEMENT OF VOTE

I was shown voting no on Record No. 568. I intended to vote yes.

Alvarado

HB 970 ON THIRD READING

(by **E. Rodriguez, Kolkhorst, Stickland, Muñoz, Farrar, et al.**)

HB 970, A bill to be entitled An Act relating to regulation of cottage food products and cottage food production operations.

HB 970 was passed by (Record 569): 143 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Raney; Toth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Callegari; Naishtat.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 569. I intended to vote no.

Smith

I was shown voting no on Record No. 569. I intended to vote yes.

Toth

HB 3077 ON THIRD READING

(by **R. Miller, Zedler, Harless, Menéndez, and Riddle**)

HB 3077, A bill to be entitled An Act relating to display of the Honor and Remember flag.

HB 3077 was passed by (Record 570): 137 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Sheffield, R.; Simpson; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Burnam; Coleman; Frank; Gutierrez; King, K.; Leach; Pickett.

STATEMENTS OF VOTE

When Record No. 570 was taken, my vote failed to register. I would have voted yes.

K. King

I was shown voting no on Record No. 570. I intended to vote yes.

R. Sheffield

REASON FOR VOTE

I reluctantly voted no on **HB 3077**. Veterans organizations are divided on the issue of flying the Honor and Remember flag. Further, because the flags which the state would be required to purchase are produced by only one company, I have concerns that this legislation is an unconstitutional single vendor bill.

Stickland

GENERAL STATE CALENDAR SENATE BILLS THIRD READING

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

SB 864 ON THIRD READING
(Flynn, White, Cook, et al. - House Sponsors)

SB 864, A bill to be entitled An Act relating to a handgun proficiency course that is taken to obtain or renew a concealed handgun license.

SB 864 was passed by (Record 571): 116 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Allen; Anderson; Ashby; Aycocock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Dukes; Dutton; Eiland; Elkins; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Martinez; McClendon; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; Villarreal; Vo; White; Workman; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Burnam; Collier; Davis, Y.; Deshotel; Farias; González, M.; Gutierrez; Hernandez Luna; Johnson; Longoria; Lucio; Márquez; Martinez Fischer; Miles; Naishtat; Nevárez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Strama; Thompson, S.; Turner, C.; Turner, S.; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Cortez.

STATEMENTS OF VOTE

I was shown voting no on Record No. 571. I intended to vote yes.

Alvarado

When Record No. 571 was taken, my vote failed to register. I would have voted no.

Cortez

SB 299 ON THIRD READING
(Sheets, Fletcher, Fallon, Paddie, Isaac, et al. - House Sponsors)

SB 299, A bill to be entitled An Act relating to the intentional display of a handgun by a person licensed to carry a concealed handgun.

SB 299 was passed by (Record 572): 140 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gonzalez, N.; Gooden; Guerra; Guillen; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; McClendon; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Burnam; Farias; González, M.; Gutierrez; Martinez Fischer; Nevárez.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Menéndez.

Absent — Coleman.

POSTPONED BUSINESS

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

CSHB 2038 ON SECOND READING **(by Dukes, Raymond, and Coleman)**

CSHB 2038, A bill to be entitled An Act relating to addressing disproportionality and disparities in the education, juvenile justice, child welfare, health, and mental health systems, the continuation and operation of the Interagency Council for Addressing Disproportionality, and the duties of the Center for Elimination of Disproportionality and Disparities.

CSHB 2038 was read second time on May 3 and was postponed until 6 a.m. today.

Amendment No. 1

Representatives White and E. Thompson offered the following amendment to **CSHB 2038**:

Amend **CSHB 2038** (house committee printing) as follows:

(1) On page 1, strike lines 8 through 10, and substitute the following:

SECTION 1. Chapter 107A, Health and Safety Code, is amended by adding Sections 107A.0021, 107A.0022, and 107A.004, and amending Section 107A.003 to read as follows:

(2) On page 2, between lines 24 and 25 insert the following:

Sec. 107A.004. CONTRACTS. The center may not contract with an entity to perform services connected with the center's responsibilities, duties, or obligations under this chapter unless the entity has been screened, reviewed, and approved by the executive commissioner of the Health and Human Services.

Amendment No. 1 was adopted.

LEAVE OF ABSENCE GRANTED

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

Ratliff on motion of Farney.

CSHB 2038 - (consideration continued)

CSHB 2038, as amended, was passed to engrossment. (Anderson, Bohac, D. Bonnen, Carter, Crownover, J. Davis, Flynn, Harless, Hunter, P. King, Laubenberg, Morrison, Parker, Phillips, Schaefer, Taylor, Workman, and Zedler recorded voting no.)

CSHB 2712 ON SECOND READING

(by Perez, Hernandez Luna, Strama, Walle, and Isaac)

CSHB 2712, A bill to be entitled An Act relating to the exemption from ad valorem taxation of energy storage systems used for the control of air pollution in a nonattainment area.

CSHB 2712 was read second time on May 3 and was postponed until 9 a.m. today.

Amendment No. 1

Representative Smith offered the following amendment to **CSHB 2712**:

Amend **CSHB 2712** (house committee report) by striking page 1, line 24, through page 2, line 2, and substituting the following:

(B) is located in:

(i) an area designated as a nonattainment area within the meaning of Section 107(d) of the federal Clean Air Act (42 U.S.C. Section 7407); and

(ii) a municipality with a population of at least 100,000 adjacent to a municipality with a population of more than two million;

Amendment No. 1 was adopted.

CSHB 2712, as amended, was passed to engrossment. (Bohac, D. Bonnen, Carter, Crownover, Flynn, Harless, and Schaefer recorded voting no.)

(Ritter in the chair)

CSSB 1251 ON SECOND READING

(Villarreal - House Sponsor)

CSSB 1251, A bill to be entitled An Act relating to authorized charges and terms for certain consumer loans.

CSSB 1251 was read second time on May 2 and was postponed until 10 a.m. today.

CSSB 1251 was passed to third reading. (Carter and Schaefer recorded voting no.)

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Agriculture and Livestock, during lunch recess today, Desk 28, for a formal meeting, to consider pending business.

Culture, Recreation, and Tourism, during lunch recess today, Desk 16, for a formal meeting, to consider pending business.

RECESS

At 11:57 a.m., the chair announced that the house would stand recessed until 1:10 p.m. today.

AFTERNOON SESSION

The house met at 1:10 p.m. and was called to order by the speaker.

(Menéndez now present)

SB 354 ON SECOND READING

(Giddings - House Sponsor)

SB 354, A bill to be entitled An Act relating to permitting electronic delivery of certain documents in a criminal case.

SB 354 was considered in lieu of **HB 996**.

SB 354 was read second time and was passed to third reading.

HB 996 - LAID ON THE TABLE SUBJECT TO CALL

Representative Anchia moved to lay **HB 996** on the table subject to call.

The motion prevailed.

HB 990 ON SECOND READING

(by S. Thompson)

HB 990, A bill to be entitled An Act relating to the establishment of a sentencing policy, accountability, and review council to develop means to assess the effect of sentencing practices and policies on state correctional resources and improve the efficiency of the state criminal justice system.

HB 990 was read second time on May 4 and was postponed until 12 p.m. today.

Amendment No. 1

On behalf of Representative Dutton, Representative Geren offered the following amendment to **HB 990**:

Amend **HB 990** on page 3, line 7 by inserting the following between "system" and ";" insert with special emphasis on convictions pursuant to Section 481.121, Health and Safety Code".

Amendment No. 1 was adopted.

Representative S. Thompson moved to postpone consideration of **HB 990** until 1:35 p.m. today.

The motion prevailed.

LEAVE OF ABSENCE GRANTED

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

Button on motion of D. Miller.

HB 893 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 893, A bill to be entitled An Act relating to consumption of alcoholic beverages in certain public entertainment facilities.

Representative Geren moved to concur in the senate amendments to **HB 893**.

The motion to concur in the senate amendments to **HB 893** prevailed by (Record 573): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Button; Giddings; Ratliff.

Absent — Cortez; Klick.

STATEMENT OF VOTE

When Record No. 573 was taken, my vote failed to register. I would have voted yes.

Cortez

Senate Committee Substitute

CSHB 893, A bill to be entitled An Act relating to consumption of alcoholic beverages in certain public entertainment facilities.

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

SECTION 1. Subchapter C, Chapter 108, Alcoholic Beverage Code, is amended by adding Section 108.82 to read as follows:

Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN CERTAIN PUBLIC ENTERTAINMENT FACILITIES. (a) This section applies only with respect to a public entertainment facility:

(1) that is a stadium:

(A) located in a county with a population of more than 1.6 million;

(B) constructed not later than 1994; and

(C) with a seating capacity of at least 45,000; and

(2) for which all alcoholic beverage permits and licenses are held by a single independent concessionaire.

(b) Notwithstanding Section 28.10, the independent concessionaire for a public entertainment facility described by Subsection (a) may allow a patron who possesses an alcoholic beverage to enter or leave a licensed or permitted premises within the facility if the alcoholic beverage:

(1) is in an open container, as defined by Section 49.031, Penal Code;

(2) appears to be possessed for present consumption;

(3) remains within the confines of the facility, excluding a parking lot;

and

(4) was purchased legally at a licensed or permitted premises within the facility.

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, 2013.

POSTPONED BUSINESS (consideration continued)

HB 194 ON SECOND READING (by Farias, Ratliff, Menéndez, Guerra, et al.)

HB 194, A bill to be entitled An Act relating to considering ownership interests of certain disabled veterans in determining whether a business is a historically underutilized business for purposes of state contracting.

HB 194 was read second time on May 2 and was postponed until 2 p.m. today.

Representative Farias moved to postpone consideration of **HB 194** until 2 a.m. Wednesday, May 8.

The motion prevailed.

HB 416 ON SECOND READING
(by Hilderbran)

HB 416, A bill to be entitled An Act relating to the computation of the franchise tax by a taxable entity engaged in Internet hosting.

HB 416 was read second time on May 1, postponed until May 3, and was again postponed until 5 p.m. today.

Representative Hilderbran moved to postpone consideration of **HB 416** until 2 p.m. tomorrow.

The motion prevailed.

HCR 85 - PREVIOUSLY ADOPTED
(by Dukes, Darby, Strama, E. Rodriguez, Workman, et al.)

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

HCR 85, In memory of Officer Jaime Padron of the Austin Police Department.

On motion of Representatives Howard, Naishtat, E. Rodriguez, Strama, and Workman, the names of all the members of the house were added to **HCR 85** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Dukes who introduced family members of Officer Jaime Padron.

(Lozano in the chair)

HB 972 ON THIRD READING
(by Fletcher, Flynn, Lavender, Burkett, Bell, et al.)

HB 972, A bill to be entitled An Act relating to the carrying of concealed handguns on the premises of and certain other locations associated with institutions of higher education.

HB 972 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative Branch offered the following amendment to **HB 972**:

Amend **HB 972** on third reading, in the SECTION of the bill adding Section 411.2031, Government Code, in the first sentence of Subsection (b) of that section, by striking "An institution of higher education in this state," and substituting "The president or other chief executive officer of an institution of higher education in this state, on behalf of the institution, and".

AMENDMENT NO. 1 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE BRANCH: This clarifies some of the discussion we had on Saturday about who makes the ultimate decision. In the current language, as you'll see, "an institution of higher education in this state" will be substituted to clarify that there is an individual making the decision on behalf of the institution. This is consistent with the legislative intent that was put on the record on Saturday, and it will now say, "the president or other chief executive officer of an institution of higher education in this state on behalf of the institution." And, again, acceptable to the author—this includes the stakeholders that will be consulted with, which now adds law enforcement, and it will clarify who at the institution, as opposed to boards of regents—that the president of the institution will make the final call after talking with students, faculty, and law enforcement, and any other stakeholders in the bill.

Amendment No. 1 was adopted.

REMARKS ORDERED PRINTED

Representative C. Turner moved to print remarks by Representative Branch.

The motion prevailed.

HB 972, as amended, was passed by (Record 574): 102 Yeas, 41 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Eiland; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Huberty; Hughes; Hunter; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Martinez; Menéndez; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pickett; Pitts; Price; Raney; Raymond; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; Vo; White; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farias; Farrar; González, M.; Gonzalez, N.; Gutierrez; Hernandez Luna; Howard; Johnson; Longoria; Márquez; Martinez Fischer; McClendon; Miles; Naishtat; Nevárez; Oliveira; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Walle; Wu.

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

Absent, Excused — Button; Giddings; Ratliff.

Absent — Guerra; Lucio.

STATEMENTS OF VOTE

When Record No. 574 was taken, my vote failed to register. I would have voted yes.

Guerra

When Record No. 574 was taken, I was excused because of important business. I would have voted yes.

Ratliff

I was shown voting yes on Record No. 574. I intended to vote no.

Vo

HB 990 ON SECOND READING (by S. Thompson)

HB 990, A bill to be entitled An Act relating to the establishment of a sentencing policy, accountability, and review council to develop means to assess the effect of sentencing practices and policies on state correctional resources and improve the efficiency of the state criminal justice system.

HB 990 was read second time on May 4, postponed until 12 p.m. today, an amendment was offered and disposed of, and **HB 990** was again postponed until this time.

Amendment No. 2

Representative McClendon offered the following amendment to **HB 990**:

Amend **HB 990** (house committee report), on page 3 of the bill, between lines 20 and 21, by inserting the following:

Art. 1A.065. PROSECUTION OF 17-YEAR-OLD CHILDREN. (a) The council shall:

(1) evaluate a proposal to define a person who is 17 years of age and commits an offense as a child under the Family Code to include the person under the jurisdiction of a juvenile court;

(2) develop an implementation plan that includes legislative, administrative, and funding changes necessary to adopt the proposal; and

(3) determine whether the legislature should implement the proposal described by Subdivision (1) by considering:

(A) the potential short-term and long-term benefits to offenders, victims, and taxpayers;

(B) the requirements of federal law, including the Prison Rape Elimination Act of 2003 (42 U.S.C. Section 15601 et seq.), for the confinement of persons 17 years of age;

(C) the implications of the decisions of the United States Supreme Court in Miller v. Alabama, 567 U.S. _____ (2012), and similar cases involving the sentencing of persons younger than 18 years of age;

(D) appropriate sanctions, services, and treatment programs for persons 17 years of age who have committed criminal offenses and the effectiveness of the sanctions, services, and programs;

(E) best practices and national trends in the prosecution and sentencing of persons younger than 18 years of age;

(F) data about the nature and frequency of offenses committed by persons 17 years of age in this state;

(G) the projected costs and savings for the state criminal court and juvenile court systems, state and local law enforcement, local adult and juvenile probation departments, state and local correctional facilities, and facilities operated by the Texas Juvenile Justice Department;

(H) which criminal and juvenile justice laws to amend, including laws relating to traffic offenses, offenses under the Education Code or Alcoholic Beverage Code, and laws relating to criminal records; and

(I) any other issues that the council considers relevant to the proposal.

(b) The council shall:

(1) develop the implementation plan relating to the proposal described by Subsection (a)(1);

(2) calculate the projected state and local adult and juvenile correctional facility populations if the plan is implemented;

(3) conduct a cost-benefit analysis for each part of the juvenile and adult criminal justice systems and for offenders, victims, and taxpayers if the plan is implemented; and

(4) make findings and recommendations and describe policy considerations relating to whether the proposal should be adopted.

(c) This article expires June 1, 2015.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Toth offered the following amendment to **HB 990**:

Amend **HB 990** (house committee report) as follows:

(1) On page 3, line 16, strike "and".

(2) On page 3, line 18, between "resources" and the period, insert the following:

;

(7) study and review all penal laws of this state other than criminal offenses:

(A) under the Penal Code;

(B) under Chapter 481, Health and Safety Code; or

(C) related to the operation of a motor vehicle;

(8) evaluate all laws described by Subdivision (7); and

(9) make recommendations to the legislature regarding the repeal of laws that are identified under Subdivision (7) as being unnecessary, unclear, duplicative, overly broad, or otherwise insufficient to serve the intended purpose of the law

Amendment No. 3 was adopted.

HB 990, as amended, was passed to engrossment. (Bohac, Flynn, Laubenberg, Parker, Phillips, Taylor, and Workman recorded voting no.)

**CONSTITUTIONAL AMENDMENTS CALENDAR
HOUSE JOINT RESOLUTIONS
SECOND READING**

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

**CSHJR 133 ON SECOND READING
(by Harper-Brown, Hilderbran, and Flynn)**

CSHJR 133, A joint resolution proposing a constitutional amendment to authorize a political subdivision of this state to extend the number of days that aircraft parts that are exempt from ad valorem taxation due to their location in this state for a temporary period may be located in this state for purposes of qualifying for the tax exemption.

LEAVE OF ABSENCE GRANTED

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

Nevárez on motion of Canales.

CSHJR 133 - (consideration continued)

CSHJR 133 was adopted by (Record 575): 142 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Callegari; Canales; Capriglione; Carter; Clardy; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Button; Giddings; Nevárez; Ratliff.

Absent — Coleman; King, S.

HJR 86 ON SECOND READING**(by Ritter)**

HJR 86, A joint resolution proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation real property leased to certain schools organized and operated primarily for the purpose of engaging in educational functions.

HJR 86 was adopted by (Record 576): 106 Yeas, 31 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Ashby; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Longoria; Lozano(C); Márquez; Menéndez; Miller, D.; Miller, R.; Morrison; Murphy; Naishtat; Orr; Otto; Paddie; Parker; Patrick; Perry; Pickett; Price; Raney; Reynolds; Riddle; Ritter; Sanford; Schaefer; Sheets; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, E.S.; Villalba; Vo; White; Workman; Wu; Zedler; Zerwas.

Nays — Aycock; Bell; Canales; Collier; Cortez; Darby; Dukes; Farias; Farrar; González, M.; Hernandez Luna; Herrero; Lewis; Lucio; Martinez; Martinez Fischer; McClendon; Miles; Muñoz; Oliveira; Perez; Phillips; Raymond; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Sheffield, R.; Turner, C.; Turner, S.; Walle.

Present, not voting — Mr. Speaker; Villarreal.

Absent, Excused — Button; Giddings; Nevárez; Ratliff.

Absent — Alvarado; Coleman; Farney; Gooden; King, S.; Moody; Pitts.

STATEMENTS OF VOTE

When Record No. 576 was taken, I was in the house but away from my desk. I would have voted no.

Alvarado

I was shown voting yes on Record No. 576. I intended to vote no.

Y. Davis

When Record No. 576 was taken, my vote failed to register. I would have voted no.

Moody

I was shown voting yes on Record No. 576. I intended to vote no.

Patrick

I was shown voting yes on Record No. 576. I intended to vote no.

Reynolds

COMMITTEE GRANTED PERMISSION TO MEET

Representative Dutton requested permission for the Committee on Urban Affairs to meet while the house is in session, at 2:30 p.m. today, in 3W.9, to consider **SB 109**, **SB 286**, **SB 1437**, and pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Urban Affairs, 2:30 p.m. today, 3W.9, for a formal meeting, to consider **SB 109**, **SB 286**, **SB 1437**, and pending business.

MESSAGE FROM THE SENATE

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

GENERAL STATE CALENDAR HOUSE BILLS SECOND READING

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

HB 1965 ON SECOND READING (by Harper-Brown)

HB 1965, A bill to be entitled An Act relating to the state contracting duties of the quality assurance team and Contract Advisory Team.

HB 1965 was passed to engrossment. (Simpson recorded voting no.)

CSHB 2447 ON SECOND READING (by Martinez)

CSHB 2447, A bill to be entitled An Act relating to the sale and advertisement of portable fire extinguishers.

CSHB 2447 was passed to engrossment. (Anderson, Schaefer, Simpson, Taylor, and Toth recorded voting no.)

CSHB 2446 ON SECOND READING (by Crownover, Keffer, P. King, Morrison, Lewis, et al.)

CSHB 2446, A bill to be entitled An Act relating to the definitions of advanced clean energy projects and clean energy projects and to franchise tax credits for certain of those projects.

Amendment No. 1

Representative Wu offered the following amendment to **CSHB 2446**:

Amend **CSHB 2446** (house committee report) as follows:

(1) On page 5, strike lines 1 and 2 and substitute the following:

- (ii) on an annual basis;
 (a) a 95 percent or greater reduction of mercury emissions;

or

(b) if the project is designed for the use of one or more combustion turbines that burn natural gas, a mercury emission rate that complies with applicable federal requirements;

(2) On page 5, line 6, strike "or" and substitute "[~~or~~]".

(3) On page 5, line 8, after the semicolon add "or".

(4) On page 5, between lines 8 and 9, insert the following:

(c) if the project is designed for the use of one or more combustion turbines that burn natural gas, two parts per million by volume;

(5) On page 6, line 9, strike "On or after September 1, 2018, an [An]" and substitute "An".

(6) On page 6, line 11, between "project." and "The", insert "An entity may not submit an application under this section before September 1, 2018."

(7) On page 7, line 2, strike "three".

Amendment No. 1 was adopted.

CSHB 2446, as amended, was passed to engrossment. (Schaefer, Simpson, and Toth recorded voting no.)

HB 3671 ON SECOND READING

(by Cook, Carter, and Burnam)

HB 3671, A bill to be entitled An Act relating to the right of certain young crime victims to a speedy trial and to be considered with respect to a defendant's motion for continuance.

HB 3671 was passed to engrossment.

CSHB 3427 ON SECOND READING

(by Lavender)

CSHB 3427, A bill to be entitled An Act relating to the transport of a mental health patient who is not a resident of this state.

Representative Lavender moved to postpone consideration of **CSHB 3427** until 5 a.m. tomorrow.

The motion prevailed.

HB 3459 ON SECOND READING

(by Eiland)

HB 3459, A bill to be entitled An Act relating to the determination of the boundaries of, and the enforcement of the law governing access to, public beaches.

Amendment No. 1

Representative Dutton offered the following amendment to **HB 3459**:

Amend **HB 3459** (house committee report) as follows:

(1) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS accordingly:

SECTION _____. (a) Section 61.001(8), Natural Resources Code, is amended to read as follows:

(8) "Public beach" means any beach area, whether publicly or privately owned, extending inland from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico to which the public has acquired the right of use or easement to or over the area by prescription, dedication, presumption, or has retained a right by virtue of continuous right in the public since time immemorial, as recognized in law and custom. This definition does not include a beach that is not accessible by a public road or public ferry as provided in Section 61.021 of this code. The doctrine of avulsion does not apply to the determination of the boundary of a public beach.

(b) Section 61.011(a), Natural Resources Code, is amended to read as follows:

(a) It is declared and affirmed to be the public policy of this state that the public, individually and collectively, shall have the free and unrestricted right of ingress and egress to and from the state-owned beaches bordering on the seaward shore of the Gulf of Mexico, or if the public has acquired a right of use or easement to or over an area by prescription, dedication, or has retained a right by virtue of continuous right in the public, the public shall have the free and unrestricted right of ingress and egress to the larger area extending from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico. The doctrine of avulsion does not apply to the determination of the boundary of the area to which the public has a right of ingress and egress.

(c) Section 61.012, Natural Resources Code, is amended to read as follows:

Sec. 61.012. DEFINITION. In this subchapter, "beach" means state-owned beaches to which the public has the right of ingress and egress bordering on the seaward shore of the Gulf of Mexico or any larger area extending from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico if the public has acquired a right of use or easement to or over the area by prescription, dedication, or has retained a right by virtue of continuous right in the public. The doctrine of avulsion does not apply to the determination of the boundary of a beach.

(d) Section 61.013(c), Natural Resources Code, is amended to read as follows:

(c) For purposes of this section, "public beach" shall mean any beach bordering on the Gulf of Mexico that extends inland from the line of mean low tide to the natural line of vegetation bordering on the seaward shore of the Gulf of Mexico, or such larger contiguous area to which the public has acquired a right of use or easement to or over by prescription, dedication, or estoppel, or has retained a right by virtue of continuous right in the public since time immemorial as recognized by law or custom. This definition does not include a beach that is not accessible by a public road or public ferry as provided in Section 61.021 of this code. The doctrine of avulsion does not apply to the determination of the boundary of a public beach.

(e) Section 61.014(a), Natural Resources Code, is amended to read as follows:

(a) As used in this section, "public beach" means the area extending from the line of mean low tide of the Gulf of Mexico to the line of vegetation bordering on the Gulf of Mexico, or to a line 200 feet inland from the line of mean low tide, whichever is nearer the line of mean low tide, if the public has acquired a right of use or easement to or over the area by prescription, dedication, or has retained a right by virtue of continuous right in the public. The doctrine of avulsion does not apply to the determination of the boundary of a public beach.

(f) Section 61.062, Natural Resources Code, is amended to read as follows:

Sec. 61.062. PUBLIC POLICY. It is the public policy of this state that the public, individually and collectively, shall have the free and unrestricted right of ingress and egress to and from the state-owned beaches bordering on the seaward shore of the Gulf of Mexico if the public has acquired a right of use or easement to or over the area by prescription, dedication, or continuous use. This creates a responsibility for the state, in its position as trustee for the public, to assist local governments in the cleaning of beach areas which are subject to the access rights of the public as defined in Subchapter B of this chapter. The doctrine of avulsion does not apply to the determination of the boundary of the area to which the public has a right of ingress and egress.

(g) Section 61.161, Natural Resources Code, is amended to read as follows:

Sec. 61.161. PUBLIC POLICY. It is the public policy of this state that the state-owned beaches bordering on the seaward shore of the Gulf of Mexico, and any larger area extending from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico, if the public has acquired a right of use or easement to or over the area by the prescription or dedication or has retained a right by virtue of continuous right in the public, shall be used primarily for recreational purposes, and any use which substantially interferes with the enjoyment of the beach area by the public shall constitute an offense against the public policy of the state. The doctrine of avulsion does not apply to the determination of the boundary of the beach area subject to public use. Nothing in this subchapter prevents any agency, department, political subdivision, or municipal corporation of this state from exercising its lawful authority under any law of this state to regulate safety conditions on any beach area subject to public use.

(h) Section 61.162(a), Natural Resources Code, is amended to read as follows:

(a) The legislature finds that the operation and maintenance of business establishments at fixed or permanent locations on the public beaches of this state bordering on the seaward shore of the Gulf of Mexico constitute a potential public health hazard and a substantial interference with the free and unrestricted rights of ingress and egress of the public, both individually and collectively, to and from the state-owned beaches bordering on the seaward shore of the Gulf of Mexico or any larger area extending from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico if the public has acquired a right of

use or easement to or over the area by prescription, dedication, or has retained a right by virtue of continuous right in the public. The doctrine of avulsion does not apply to the determination of the boundary of a public beach.

(i) Section 365.033(b), Health and Safety Code, is amended to read as follows:

(b) In this section, "beach" means an area in which the public has acquired a right of use or an easement and that borders on the seaward shore of the Gulf of Mexico or extends from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico. The doctrine of avulsion does not apply to the determination of the boundary of a beach.

(j) Section 21.111(c), Parks and Wildlife Code, is amended to read as follows:

(c) If any state park site includes a public beach as defined by Section 61.001, Natural Resources Code ~~[on the seaward shore of the Gulf of Mexico, extending from the line of mean low tide to the line of vegetation, over which the public has acquired a right of use or easement to or over the area by prescription or dedication or has retained a right by virtue of continuous right in the public]~~, no entrance or gate fee may be charged to persons desiring to enter or to leave the public beach area, so long as the persons do not enter any other portion of the park for which an entrance or gate fee is charged.

(k) Section 729.001(b), Transportation Code, is amended to read as follows:

(b) In this section, "public beach" has the meaning assigned by Section 61.008, Natural Resources Code ~~[means a beach bordering on the Gulf of Mexico that extends inland from the line of mean low tide to the natural line of vegetation bordering on the seaward shore of the Gulf of Mexico, or the larger contiguous area to which the public has acquired a right of use or easement to or over by prescription, dedication, or estoppel, or has retained a right by virtue of continuous right in the public since time immemorial as recognized by law or custom]~~.

(l) This section takes effect on the date on which the constitutional amendment proposed by the 83rd Legislature, Regular Session, 2013, establishing the boundaries of public beaches takes effect. If that amendment is not approved by the voters, this section has no effect.

(2) On page 6, line 7, strike "This Act" and substitute "Except as otherwise provided by this Act, this Act".

Amendment No. 1 was withdrawn.

HB 3459 was passed to engrossment. (Anderson, Bohac, Carter, Creighton, Flynn, Laubenberg, Parker, Schaefer, Simpson, and Zedler recorded voting no.)

HB 3463 ON SECOND READING

(by Bohac)

HB 3463, A bill to be entitled An Act relating to information provided to recipients of certain assistance programs.

Representative Bohac moved to postpone consideration of **HB 3463** until 4:50 p.m. today.

The motion prevailed.

CSHB 1133 ON SECOND READING
(by Otto, Harless, Toth, Hilderbran, et al.)

CSHB 1133, A bill to be entitled An Act relating to a sales and use tax refund for tangible personal property used to provide cable television service, Internet access service, or telecommunications services and to the exclusion of that property in certain economic development agreements.

CSHB 1133 was passed to engrossment.

CSHB 1736 ON SECOND READING
(by Anchia, Rose, Keffer, Hughes, Bohac, et al.)

CSHB 1736, A bill to be entitled An Act relating to a temporary exemption from ad valorem taxation of property used to collect, process, and deliver landfill-generated gas.

Amendment No. 1

Representative Huberty offered the following amendment to **CSHB 1736**:

Amend **CSHB 1736** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. The Legislature finds that current rules adopted by the Texas Commission on Environmental Quality regarding qualification of property for exemption from taxation under Section 11.31, Tax Code, are consistent with the Legislature's desire to exempt only property used, constructed, acquired, or installed wholly or partly to meet or exceed laws, rules, or regulations adopted by any environmental protection agency of the United States, Texas, or a political subdivision of Texas, for the prevention, monitoring, control, or reduction of air, water, or land pollution. The Legislature further finds that current unique market forces are a deterrent to landfill methane capture, and the limited exemption set forth in this Act will prevent the loss of facilities that help the state in reducing pollution.

Amendment No. 1 was adopted.

CSHB 1736, as amended, was passed to engrossment. (Schaefer recorded voting no.)

COMMITTEES GRANTED PERMISSION TO MEET

Representative Phillips requested permission for the Committee on Transportation to meet while the house is in session, at 3:30 p.m. today, in 3W.9, to consider pending business.

Permission to meet was granted.

Representative Phillips requested permission for the Committee on Public Health to meet while the house is in session, at 4 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Transportation, 3:30 p.m. today, 3W.9, for a formal meeting, to consider pending business.

Public Health, 4 p.m. today, 3W.15, for a formal meeting, to consider pending business.

CSHB 3808 ON SECOND READING (by Farney, Geren, Patrick, Alonzo, et al.)

CSHB 3808, A bill to be entitled An Act relating to evaluating the performance, including computing dropout and completion rates, of public schools designated as dropout recovery schools.

Representative Farney moved to postpone consideration of **CSHB 3808** until 8 a.m. tomorrow.

The motion prevailed.

CSHB 1748 ON SECOND READING (by Branch, Herrero, Fletcher, Carter, et al.)

CSHB 1748, A bill to be entitled An Act relating to the punishment for defendants who commit certain aggravated sexual assaults.

CSHB 1748 was passed to engrossment.

CSHB 1772 ON SECOND READING (by C. Turner, Anchia, and S. Turner)

CSHB 1772, A bill to be entitled An Act relating to the disconnection of electric or gas utility service.

CSHB 1772 was passed to engrossment.

CSHB 26 ON SECOND READING (by Martinez Fischer)

CSHB 26, A bill to be entitled An Act relating to unemployment compensation eligibility and chargebacks regarding certain persons who are victims or whose immediate family members are victims of sexual assault.

Amendment No. 1

Representative Martinez Fischer offered the following amendment to **CSHB 26**:

Amend **CSHB 26** (house committee printing) as follows:

(1) On page 3, lines 10 and 11, between "family violence center" and "that", insert "or rape crisis center".

(2) On page 5, lines 18 and 19, between "family violence center" and "that", insert "or rape crisis center".

Amendment No. 1 was adopted.

CSHB 26, as amended, was passed to engrossment. (Schaefer and Simpson recorded voting no.)

HB 3285 ON SECOND READING
(by Y. Davis)

HB 3285, A bill to be entitled An Act relating to the reporting of health care associated infections.

Amendment No. 1

Representative Y. Davis offered the following amendment to **HB 3285**:

Amend **HB 3285** (house committee printing) as follows:

(1) On page 1, line 7, between "patient" and the period, insert "while hospitalized".

(2) On page 1, line 13, strike "the infections that" and substitute "whether the infections".

(3) On page 1, line 14, between "patient" and the semicolon, insert "while hospitalized".

Amendment No. 1 was adopted.

HB 3285, as amended, was passed to engrossment. (Flynn recorded voting no.)

COMMITTEE GRANTED PERMISSION TO MEET

Representative Guillen requested permission for the Committee on Culture, Recreation, and Tourism to meet while the house is in session, at 3:30 p.m. today, in 3W.15, to consider pending business.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Culture, Recreation, and Tourism, 3:30 p.m. today, 3W.15, for a formal meeting, to consider pending business.

CSHB 2268 ON SECOND READING
(by Frullo, S. Thompson, and Fletcher)

CSHB 2268, A bill to be entitled An Act relating to search warrants issued in this state and other states for certain customer data, communications, and other related information held in electronic storage in this state and other states by providers of electronic communications services and remote computing services.

Amendment No. 1

Representative Frullo offered the following amendment to **CSHB 2268**:

Amend **CSHB 2268** (house committee printing) as follows:

(1) On page 10, line 17, between "create a" and "risk", insert "material".

(2) On page 10, strike lines 23 through 25 and substitute the following:

(k) If the authorized peace officer serving the warrant under this section also delivers an affidavit form to the provider of an electronic communications service or the provider of a remote computing service responding to the warrant, and the peace officer also notifies the provider in writing that an executed affidavit is required, then the provider shall verify the authenticity of the

(3) On page 11, line 1, strike "an affidavit that is given" and substitute "the affidavit form completed and sworn to".

(4) On page 11, line 3, strike "authenticity and" and substitute "authenticity".

(5) On page 11, between lines 14 and 15, insert the following:

(n) A provider of an electronic communications service or a provider of a remote computing service responding to a warrant issued under this section may request an extension of the period for compliance with the warrant if extenuating circumstances exist to justify the extension. The district judge shall grant a request for an extension based on those circumstances if:

(1) the authorized peace officer who applied for the warrant or another appropriate authorized peace officer agrees to the extension; or

(2) the district judge finds that the need for the extension outweighs the likelihood that the extension will cause an adverse circumstance described by Subsection (j).

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Stickland, Laubenberg, D. Bonnen, P. King, Burnam, S. Turner, and C. Turner offered the following amendment to **CSHB 2268**:

Amend **CSHB 2268** (house committee printing) by striking SECTION 6 of the bill (page 5, line 1 through page 7, line 13) and substituting the following:

SECTION 6. Section 4, Article 18.21, Code of Criminal Procedure, is amended to read as follows:

Sec. 4. REQUIREMENTS FOR GOVERNMENT ACCESS TO STORED COMMUNICATIONS. (a) An authorized peace officer may require a provider of electronic communications service or a provider of a remote computing service to disclose electronic customer data ~~[the contents of a wire communication or an electronic communication]~~ that has been in electronic storage ~~[for not longer than 180 days]~~ by obtaining a warrant under Section 5A.

(b) ~~[An authorized peace officer may require a provider of electronic communications service to disclose the contents of a wire communication or an electronic communication that has been in electronic storage for longer than 180 days:~~

~~[(1) if notice is not being given to the subscriber or customer, by obtaining a warrant;~~

~~[(2) if notice is being given to the subscriber or customer, by obtaining:~~

~~[(A) an administrative subpoena authorized by statute;~~

~~[(B) a grand jury subpoena; or~~

~~[(C) a court order issued under Section 5 of this article; or~~

~~[(3) as otherwise permitted by applicable federal law.~~

~~[(e)(1) An authorized peace officer may require a provider of a remote computing service to disclose the contents of a wire communication or an electronic communication as described in Subdivision (2) of this subsection:~~

~~[(A) if notice is not being given to the subscriber or customer, by obtaining a warrant issued under this code;~~

~~[(B) if notice is being given to the subscriber or customer, by:~~

~~[(i) an administrative subpoena authorized by statute;~~

~~[(ii) a grand jury subpoena; or~~

~~[(iii) a court order issued under Section 5 of this article; or~~

~~[(C) as otherwise permitted by applicable federal law.~~

~~[(2) Subdivision (1) of this subsection applies only to a wire communication or an electronic communication that is in electronic storage:~~

~~[(A) on behalf of a subscriber or customer of the service and is received by means of electronic transmission from or created by means of computer processing of communications received by means of electronic transmission from the subscriber or customer; and~~

~~[(B) solely for the purpose of providing storage or computer processing services to the subscriber or customer if the provider of the service is not authorized to obtain access to the contents of those communications for purposes of providing any service other than storage or computer processing.~~

~~[(d) An authorized peace officer may require a provider of remote computing service to disclose records or other information pertaining to a subscriber or customer of the service, other than communications described in Subsection (e) of this section, without giving the subscriber or customer notice:~~

~~[(1) by obtaining an administrative subpoena authorized by statute;~~

~~[(2) by obtaining a grand jury subpoena;~~

~~[(3) by obtaining a warrant;~~

~~[(4) by obtaining the consent of the subscriber or customer to the disclosure of the records or information;~~

~~[(5) by obtaining a court order under Section 5 of this article; or~~

~~[(6) as otherwise permitted by applicable federal law.~~

~~[(e)] A provider of telephonic communications service shall disclose to an authorized peace officer, without any form of legal process, subscriber listing information, including name, address, and telephone number or similar access code that:~~

~~(1) the service provides to others in the course of providing publicly available directory or similar assistance; or~~

~~(2) is solely for use in the dispatch of emergency vehicles and personnel responding to a distress call directed to an emergency dispatch system or when the information is reasonably necessary to aid in the dispatching of emergency vehicles and personnel for the immediate prevention of death, personal injury, or destruction of property.~~

(c) [(f)] A provider of telephonic communications service shall provide an authorized peace officer with the name of the subscriber of record whose published telephone number is provided to the service by an authorized peace officer.

Amendment No. 2 was adopted.

CSHB 2268, as amended, was passed to engrossment.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Transportation:

Burkett on motion of Perry.

Y. Davis on motion of Perry.

Harper-Brown on motion of Perry.

Kuempel on motion of Muñoz.

Larson on motion of Muñoz.

Lavender on motion of Perry.

Phillips on motion of Perry.

Smith on motion of Muñoz.

(Speaker in the chair)

CSHB 2887 ON SECOND READING

(by **J. Davis, Burkett, S. Turner, Kolkhorst, Menéndez, et al.**)

CSHB 2887, A bill to be entitled An Act relating to the establishment and expansion of community collaboratives by entities to provide services to and coordinate the care of persons who are homeless, persons with mental illness, and persons with substance abuse problems.

CSHB 2887 was passed to engrossment. (Flynn, Laubenberg, and Schaefer recorded voting no.)

CSHB 3668 ON SECOND READING

(by **Naishtat, Fletcher, and Wu**)

CSHB 3668, A bill to be entitled An Act relating to an individual's responsibilities following an accident possibly resulting in injury to or death of a person; imposing criminal penalties.

Amendment No. 1

Representative Fletcher offered the following amendment to **CSHB 3668**:

Amend **CSHB 3668** (house committee printing) on page 1, line 9, by striking "possibly results" and substituting "is reasonably likely to result".

Amendment No. 1 was adopted.

CSHB 3668, as amended, was passed to engrossment.

(Burkett, Y. Davis, Harper-Brown, Kuempel, Larson, Lavender, Phillips, and Smith now present)

CSHB 928 ON SECOND READING
(by Krause, Sanford, Fletcher, Lavender, Sheets, et al.)

CSHB 928, A bill to be entitled An Act relating to the enforcement of certain federal laws regulating firearms, firearm accessories, and firearm ammunition within the State of Texas.

Amendment No. 1

Representative Moody offered the following amendment to **CSHB 928**:

Amend **CSHB 928** (house committee printing) on page 3, between lines 15 and 16, by inserting the following:

(g) The attorney general shall defend any citizen of this state or agency or political subdivision of this state that the federal government attempts to sue or prosecute for an action or omission consistent with the requirements of this section.

Amendment No. 1 was withdrawn.

Representative Krause moved to postpone consideration of **CSHB 928** until 4:05 p.m. today.

The motion prevailed.

CSHB 3162 ON SECOND READING
(by J. Davis and Button)

CSHB 3162, A bill to be entitled An Act relating to the Texas emerging technology fund.

Amendment No. 1

Representative J. Davis offered the following amendment to **CSHB 3162**:

Amend **CSHB 3162** (house committee printing) as follows:

(1) On page 1, line 4, strike "Sections 490.001(1) and (4), Government Code" and substitute "Sections 490.001(1), (2), and (4), Government Code".

(2) On page 1, line 6, strike "Emerging" and substitute "Research [Emerging]".

(3) On page 1, between lines 7 and 8, insert the following:

(2) "Fund" means the Texas Research Technology Fund [emerging technology fund].

(4) On page 4, strike lines 26-27 and substitute "SUBCHAPTER B. TEXAS RESEARCH [~~EMERGING~~] TECHNOLOGY FUND BOARD [~~ADVISORY COMMITTEE~~]".

(5) On page 5, line 3, strike "EMERGING" and substitute "RESEARCH".

(6) On page 5, line 4, strike "Emerging" and substitute "Research [Emerging]".

(7) On page 11, line 9, strike "Sections 490.101(c)," and substitute "Sections 490.101(a), (c),".

(8) On page 11, between lines 10 and 11, insert the following:

(a) The Texas Research Technology Fund [~~emerging technology fund~~] is a dedicated account in the general revenue fund.

(9) On page 18, line 6, strike "Emerging" and substitute "Research".

(10) On page 18, line 11, strike "Emerging" and substitute "Research".

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

SECTION _____. The heading to Subchapter C, Chapter 490, Government Code, is amended to read as follows:

SUBCHAPTER C. TEXAS RESEARCH [~~EMERGING~~] TECHNOLOGY FUND

SECTION _____. The heading to Section 490.101, Government Code, is amended to read as follows:

Sec. 490.101. TEXAS RESEARCH [~~EMERGING~~] TECHNOLOGY FUND.

SECTION _____. Section 50D.013(a), Agriculture Code, is amended to read as follows:

(a) The policy council shall:

(1) provide a vision for unifying this state's agricultural, energy, and research strengths in a successful launch of a cellulosic biofuel and bioenergy industry;

(2) foster development of cellulosic-based and bio-based fuels and build on the Texas Research Technology Fund's [~~emerging technology fund's~~] investments in leading-edge energy research and efforts to commercialize the production of bioenergy;

(3) pursue the creation of a next-generation biofuels energy research program at a university in this state;

(4) work to procure federal and other funding to aid this state in becoming a bioenergy leader;

(5) study the feasibility and economic development effect of a blending requirement for biodiesel or cellulosic fuels;

(6) pursue the development and use of thermochemical process technologies to produce alternative chemical feedstocks;

(7) study the feasibility and economic development of the requirements for pipeline-quality, renewable natural gas; and

(8) perform other advisory duties as requested by the commissioner regarding the responsible development of bioenergy resources in this state.

SECTION _____. Section 203.021(e), Labor Code, is amended to read as follows:

(e) Money in the compensation fund may not be transferred to the:

(1) Texas Enterprise Fund created under Section 481.078, Government Code; or

(2) Texas Research Technology Fund [~~emerging technology fund~~] established under Section 490.101, Government Code.

(12) Renumber SECTIONS of the bill appropriately.

Amendment No. 1 was adopted.

Amendment No. 2

Representative J. Davis offered the following amendment to **CSHB 3162**:

Amend **CSHB 3162** (house committee printing) as follows:

(1) On page 7, lines 24 and 25, strike "the governor and".

(2) On page 13, strike line 24 and substitute "~~[section]~~ to the board ~~[governor, lieutenant governor, and]~~".

(3) On page 16, line 14, strike "governor and".

Amendment No. 2 was adopted.

Amendment No. 3

On behalf of Representative Strama, Representative J. Davis offered the following amendment to **CSHB 3162**:

Amend **CSHB 3162** (house committee printing) as follows:

(1) On page 14, line 9, between "MANAGER." and "The", insert "(a)".

(2) On page 14, line 10, strike "designated by the board" and substitute "selected by the board as provided by Subsection (b)".

(3) On page 14, between lines 15 and 16, insert the following:

(b) The board has the sole authority to select, terminate the employment of or contract with, and establish the compensation of the fund manager. The fund manager shall report to the board.

Amendment No. 3 was adopted.

CSHB 3162, as amended, was passed to engrossment.

HB 170 ON SECOND READING

(by Alonzo, Márquez, Alvarado, S. Davis, and Dukes)

HB 170, A bill to be entitled An Act relating to the coverage by certain health benefit plans of mammograms performed by certain health care providers.

Amendment No. 1

On behalf of Representative J. Sheffield, Representative Alonzo offered the following amendment to **HB 170**:

Amend **HB 170** (house committee printing) on page 3, between lines 13 and 14, by adding the following:

(d) A physician or provider that performs a mammogram described by Subsection (a) must provide a copy of the mammogram report to the enrollee's primary care physician.

Amendment No. 1 was adopted.

HB 170, as amended, was passed to engrossment. (Creighton, Flynn, Kacal, Laubenberg, Schaefer, Workman, and Zedler recorded voting no.)

HB 1908 ON SECOND READING
(by Eiland and Hilderbran)

HB 1908, A bill to be entitled An Act relating to sports and community venue projects.

Amendment No. 1

Representative Eiland offered the following amendment to **HB 1908**:

Amend **HB 1908** (house committee printing) on page 3, line 19, following the period, by inserting the following:

The following are not included in calculating the combined tax rate under this subsection:

(1) an assessment for an improvement project described by Section 372.0035;

(2) an assessment authorized by Chapter 375; or

(3) a fee collected by a hotel to recover the cost of an assessment described by Subdivision (1) or (2).

Amendment No. 1 was adopted.

HB 1908, as amended, was passed to engrossment.

HB 3805 ON SECOND READING
(by Gonzales)

HB 3805, A bill to be entitled An Act relating to the discharge of an officer or employee of the Department of Public Safety of the State of Texas.

HB 3805 was passed to engrossment.

CSHB 2532 ON SECOND READING
(by Workman and Isaac)

CSHB 2532, A bill to be entitled An Act relating to the regulation of propane distribution system retailers; authorizing a fee.

CSHB 2532 was passed to engrossment. (Schaefer and Simpson recorded voting no.)

CSHB 2694 ON SECOND READING
(by Villarreal and Ratliff)

CSHB 2694, A bill to be entitled An Act relating to the provision of credit by examination for public school students.

CSHB 2694 was passed to engrossment. (Schaefer and Simpson recorded voting no.)

CSHB 2330 ON SECOND READING
(by Gooden)

CSHB 2330, A bill to be entitled An Act relating to regulation of traffic in a conservation and reclamation district by a commissioners court.

(Márquez in the chair)

Amendment No. 1

On behalf of Representative Gooden, Representative Phillips offered the following amendment to **CSHB 2330**:

Amend **CSHB 2330** (house committee report) as follows:

(1) On page 1, line 7, strike "CERTAIN" and substitute "SPECIAL".

(2) On page 1, strike lines 8-10.

(3) On page 1, line 11, strike "(b)".

(4) On page 1, lines 12-14, strike "conservation and reclamation district organized or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution," and substitute "special district".

(5) On page 2, lines 3-5, strike "conservation and reclamation district organized or operating under Section 52, Article III, or Section 59, Article XVI, Texas Constitution," and substitute "special district".

Amendment No. 1 was adopted.

CSHB 2330, as amended, was passed to engrossment.

CSHB 3536 ON SECOND READING

(by Otto, Kolkhorst, S. Turner, Howard, Zerwas, et al.)

CSHB 3536, A bill to be entitled An Act relating to imposing a fee on the sale of cigarettes and cigarette tobacco products manufactured by certain companies; providing penalties; changing the rate of the tax on chewing tobacco.

Amendment No. 1

Representative Otto offered the following amendment to **CSHB 3536**:

Amend **CSHB 3536** (house committee report) as follows:

(1) Strike page 3, line 27, through page 4, line 12, renumber subsequent subdivisions appropriately, and correct any relevant cross-references.

(2) On page 5, line 9, strike "16" and substitute "7".

(3) On page 7, strike lines 4-7, reletter subsequent subsections appropriately, and correct any relevant cross-references.

(4) On page 10, line 17, strike "that" and substitute "showing whether that manufacturer".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Hilderbran offered the following amendment to **CSHB 3536**:

Amend **CSHB 3536** (house committee printing) by striking SECTION 2 (page 13, lines 10-17) and substituting the following:

SECTION 2. Section 155.0211(b), Tax Code, is amended to read as follows:

(b) Except as provided by Subsection (c), the tax rate for:

(1) each can or package of a tobacco product other than cigars, chewing tobacco, or smoking tobacco is \$1.22 per ounce and a proportionate rate on all fractional parts of an ounce; and

(2) chewing tobacco or smoking tobacco is 80 cents per ounce and a proportionate rate on all fractional parts of an ounce.

Amendment No. 2 was adopted.

(Ratliff now present)

CSHB 3536, as amended, was passed to engrossment by (Record 577): 85 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Burnam; Callegari; Canales; Coleman; Collier; Cook; Cortez; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Geren; Gonzales; González, M.; Gonzalez, N.; Guerra; Gutierrez; Harless; Hernandez Luna; Hilderbran; Howard; Huberty; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kolkhorst; Larson; Lavender; Longoria; Lucio; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Moody; Morrison; Muñoz; Naishtat; Oliveira; Orr; Otto; Patrick; Perez; Pickett; Price; Raney; Ratliff; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Sheffield, R.; Smith; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu; Zerwas.

Nays — Anderson; Bell; Bohac; Bonnen, G.; Burkett; Capriglione; Carter; Clardy; Craddick; Creighton; Dale; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Gooden; Harper-Brown; Herrero; Hughes; Isaac; King, P.; Kleinschmidt; Klick; Krause; Kuempel; Laubenberg; Leach; Lewis; Miller, R.; Murphy; Paddie; Parker; Perry; Phillips; Pitts; Raymond; Sanford; Schaefer; Sheets; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; White; Workman; Zedler.

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

Absent, Excused — Button; Giddings; Nevárez.

Absent — Bonnen, D.; Branch; Farney; Goldman; Guillen; Hunter; Lozano.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 577. I intended to vote no.

Ashby

When Record No. 577 was taken, I was temporarily out of the house chamber. I would have voted no.

D. Bonnen

When Record No. 577 was taken, my vote failed to register. I would have voted no.

Branch

When Record No. 577 was taken, I was in the house but away from my desk. I would have voted no.

Farney

When Record No. 577 was taken, I was in the house but away from my desk. I would have voted no.

Goldman

I was shown voting yes on Record No. 577. I intended to vote no.

N. Gonzalez

I was shown voting no on Record No. 577. I intended to vote yes.

Herrero

I was shown voting yes on Record No. 577. I intended to vote no.

Hilderbran

When Record No. 577 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

I was shown voting yes on Record No. 577. I intended to vote no.

S. King

When Record No. 577 was taken, I was in the house but away from my desk. I would have voted yes.

Lozano

CSHB 2851 ON SECOND READING
(by Callegari, et al.)

CSHB 2851, A bill to be entitled An Act relating to the adoption of rules by state agencies.

CSHB 2851 was passed to engrossment.

CSHB 3233 ON SECOND READING
(by Ritter and Johnson)

CSHB 3233, A bill to be entitled An Act relating to interbasin transfers of state water.

Amendment No. 1

Representative Ritter offered the following amendment to **CSHB 3233**:

Amend **CSHB 3233** (house committee report) as follows:

(1) On page 1, line 21, between "hearing" and "is", insert "on an application to transfer water authorized under an existing water right".

(2) On page 1, line 24, strike "twice" and substitute "in two different weeks".

(3) On page 3, strike lines 8 through 15 and substitute the following:

(4) a proposed transfer from the part of the geographic area of [~~a basin~~ ~~to~~] a county or municipality, or the part of the retail service area of a retail public utility as defined by Section 13.002, [~~the municipality's retail service area~~] that is [~~partially~~] within the basin of origin for use in that part of the geographic area of

the county or municipality, or that contiguous part of the retail service area of the utility, [and the municipality's retail service area] not within the basin of origin; or

Amendment No. 1 was adopted.

CSHB 3233, as amended, was passed to engrossment.

CSHB 3234 ON SECOND READING
(by Ritter and Johnson)

CSHB 3234, A bill to be entitled An Act relating to the procedure for action by the Texas Commission on Environmental Quality on an application for a water right.

CSHB 3234 was passed to engrossment.

CSHB 613 ON SECOND READING
(by Orr and Larson)

CSHB 613, A bill to be entitled An Act relating to the regulation of foundation repair contractors; providing penalties; authorizing fees.

LEAVE OF ABSENCE GRANTED

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

Crownover on motion of Harless.

CSHB 613 - (consideration continued)

Representative Orr moved to postpone consideration of **CSHB 613** until 8 a.m. tomorrow.

The motion prevailed.

CSHB 1813 ON SECOND READING
(by Lucio)

CSHB 1813, A bill to be entitled An Act relating to the authority of a municipality to confiscate packaged fireworks; providing an affirmative defense for possessing fireworks in certain circumstances.

CSHB 1813 was passed to engrossment.

POSTPONED BUSINESS

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

CSHB 928 ON SECOND READING
(by Krause, Sanford, Fletcher, Lavender, Sheets, et al.)

CSHB 928, A bill to be entitled An Act relating to the enforcement of certain federal laws regulating firearms, firearm accessories, and firearm ammunition within the State of Texas.

CSHB 928 was read second time earlier today, an amendment was offered and disposed of, and **CSHB 928** was postponed until this time.

Amendment No. 2

Representative Herrero offered the following amendment to **CSHB 928**:

Amend **CSHB 928** (house committee printing) on page 2, line 3, following the period, by inserting the following:

This subsection does not apply to the enforcement of a federal statute, order, rule, or regulation related to the unlawful possession of a firearm by a person who:

(1) has previously been convicted of an offense punishable as a felony;

or

(2) is engaged in an organized criminal activity.

Representative Krause moved to table Amendment No. 2.

The motion to table prevailed by (Record 578): 89 Yeas, 50 Nays, 2 Present, not voting.

Yeas — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Callegari; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Dale; Darby; Davis, J.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Harless; Harper-Brown; Hilderbran; Huberty; Hughes; Isaac; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; McClendon; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Otto; Paddie; Parker; Patrick; Perry; Phillips; Pitts; Price; Raney; Ratliff; Riddle; Ritter; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Workman; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; González, M.; Gonzalez, N.; Guerra; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, S.; Longoria; Lucio; Martinez; Martinez Fischer; Menéndez; Miles; Moody; Muñoz; Naishtat; Oliveira; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Wu.

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

Absent, Excused — Button; Giddings; Nevárez.

Absent, Excused, Committee Meeting — Crownover.

Absent — Burkett; Guillen; Hunter; Lozano; Pickett.

STATEMENT OF VOTE

When Record No. 578 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

Amendment No. 3

Representatives Moody and Lucio offered the following amendment to **CSHB 928**:

Amend **CSHB 928** (house committee printing) on page 3, between lines 15 and 16, by inserting the following:

(g) The attorney general shall defend any agency or political subdivision of this state that the federal government attempts to sue or prosecute for an action or omission consistent with the requirements of this section.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Canales offered the following amendment to **CSHB 928**:

Amend **CSHB 928** (house committee printing) on page 2, between lines 3 and 4, by inserting the following:

(b-1) Subsection (b) does not apply to a contract or agreement to provide assistance in the enforcement of a federal statute, order, rule, or regulation in effect on August 31, 2013, that pertains to border security.

Amendment No. 4 was adopted.

CSHB 928 - POINT OF ORDER

Representative Herrero raised a point of order against further consideration of **CSHB 928** under Rule 4, Section 32(c) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

Representative Krause moved to postpone consideration of **CSHB 928** until 5:30 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR
(consideration continued)****CSHB 555 ON SECOND READING
(by Callegari)**

CSHB 555, A bill to be entitled An Act relating to certain criminal offenses for violations of the law regulating metal recycling entities.

CSHB 555 was passed to engrossment. (Schaefer and Simpson recorded voting no.)

**HB 953 ON SECOND READING
(by Button, J. Davis, E. Rodriguez, Branch, Vo, et al.)**

HB 953, A bill to be entitled An Act relating to a franchise tax credit for research and development activities performed in conjunction with institutions of higher education; authorizing a tax credit.

Representative J. Davis moved to postpone consideration of **HB 953** until 8 a.m. tomorrow.

The motion prevailed.

CSHB 626 ON SECOND READING
(by Harper-Brown and Capriglione)

CSHB 626, A bill to be entitled An Act relating to the number of hours certain employees must work to be eligible to participate in the Texas Municipal Retirement System.

Amendment No. 1

Representative Harper-Brown offered the following amendment to **CSHB 626**:

Amend **CSHB 626** on page 1, line 24, through page 2, line 4, by striking "may adopt an alternative definition of "employee" for purposes of this subtitle that increases the number of hours a person in an appointive office or position, other than a person employed by the municipality as a law enforcement officer or firefighter, is normally required to serve" and substituting "may adopt an alternative definition of "employee" for purposes of this subtitle only to the extent that the alternative definition increases the number of hours a person in an appointive office or position, other than a person employed by the municipality in any position in the municipal police or fire department, is normally required to serve".

Amendment No. 1 was adopted.

Amendment No. 2

Representative Burkett offered the following amendment to **CSHB 626**:

Amend **CSHB 626** (house committee report) on page 2, between lines 23 and 24, insert the following:

(e) The governing body of a participating municipality that is authorized to adopt an ordinance under this section may provide for an optional increase in retirement annuities pursuant to the applicable provisions of this subtitle.

Amendment No. 2 was adopted.

LEAVE OF ABSENCE GRANTED

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

Villarreal on motion of Raymond.

CSHB 626 - (consideration continued)

Amendment No. 3

Representative Y. Davis offered the following amendment to **CSHB 626**:

Amend **CSHB 626** (house committee printing) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Nothing in this Act is intended to change the law with respect to the ability of a retiree to receive a retirement annuity after resuming employment with the same or a different municipality that participates in the Texas Municipal Retirement System.

Amendment No. 3 was adopted.

CSHB 626, as amended, was passed to engrossment.

HB 1862 ON SECOND READING

(by Dutton)

HB 1862, A bill to be entitled An Act relating to the criminal consequences of engaging in certain conduct with respect to a switchblade knife.

HB 1862 was passed to engrossment.

CSHB 462 ON SECOND READING

(by Huberty, Creighton, Pitts, Harless, White, et al.)

CSHB 462, A bill to be entitled An Act relating to state control of teacher appraisal criteria, curriculum standards, and assessment instruments.

(S. Davis in the chair)

CSHB 462 was passed to engrossment.

CSHB 887 ON SECOND READING

(by Lucio, G. Bonnen, and Villarreal)

CSHB 887, A bill to be entitled An Act relating to full-contact drills by students who are members of a high school or middle school football team that participates in activities sponsored or sanctioned by the University Interscholastic League.

(Márquez in the chair)

Representative Lucio moved to postpone consideration of **CSHB 887** until 8 a.m. tomorrow.

The motion prevailed.

CSHB 1428 ON SECOND READING

(by S. Davis)

CSHB 1428, A bill to be entitled An Act relating to inappropriate actions by the early voting ballot board; creating an offense.

Amendment No. 1

Representative Canales offered the following amendment to **CSHB 1428**:

Amend **CSHB 1428** (house committee printing) on page 1, line 10, between "voter" and the semicolon by inserting "under Section 87.041".

Amendment No. 1 was adopted.

CSHB 1428, as amended, was passed to engrossment.

CSHB 1897 ON SECOND READING
(by Eiland)

CSHB 1897, A bill to be entitled An Act relating to the exemption from ad valorem taxation of pollution control property.

Amendment No. 1

Representative Eiland offered the following amendment to **CSHB 1897**:

Amend **CSHB 1897** (house committee report) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 11.31(i), Tax Code, is amended to read as follows:

(i) A person seeking an exemption under this section shall provide to the chief appraiser at the time an application for the exemption is filed in accordance with Section 11.43 a copy of the letter issued by the executive director of the Texas Commission on Environmental Quality under Subsection (d), or a copy of the final letter issued by the executive director under Subsection (e) if the determination is appealed under that subsection, determining that the facility, device, or method is used wholly or partly as pollution control property. The chief appraiser shall accept a final determination by the executive director as conclusive evidence that the facility, device, or method is used wholly or partly as pollution control property. Notwithstanding Section 41.41(a)(4), a property owner is not entitled to a remedy for the denial of an exemption for pollution control property, in whole or in part, and is not entitled to an exemption for any period that precedes the property owner's compliance with the requirements of this subsection.

SECTION 2. The changes in law made by this Act apply to any determination under Section 11.31, Tax Code, that becomes final on or after the effective date of this Act. A determination that becomes final before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. The changes in law made by this Act do not permit a taxing unit to recover taxes not assessed and collected because of an exemption granted under Section 11.31, Tax Code, before the effective date of this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Amendment No. 1 was adopted.

CSHB 1897, as amended, was passed to engrossment. (Anderson, Carter, and Laubenberg recorded voting no.)

CSHB 2320 ON SECOND READING
(by Parker)

CSHB 2320, A bill to be entitled An Act relating to establishing a pilot program for driver education schools to administer certain driver's license examinations; authorizing fees.

CSHB 2320 was passed to engrossment by (Record 579): 127 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Callegari; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Isaac; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lucio; Martinez Fischer; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Canales; Dukes; Johnson; McClendon; Oliveira; Phillips.

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

Absent, Excused — Button; Giddings; Nevárez; Villarreal.

Absent, Excused, Committee Meeting — Crownover.

Absent — Alonzo; Darby; González, M.; Huberty; Hunter; Lozano; Martinez; Rose; Thompson, E.; Toth.

STATEMENTS OF VOTE

When Record No. 579 was taken, I was in the house but away from my desk. I would have voted yes.

Alonzo

When Record No. 579 was taken, my vote failed to register. I would have voted yes.

M. González

When Record No. 579 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

HB 2859 ON SECOND READING (by Harless)

HB 2859, A bill to be entitled An Act relating to the amount of money authorized to be used for Clean Air Act local initiative projects related to vehicles.

Amendment No. 1

Representative Harless offered the following amendment to **HB 2859**:

Amend **HB 2859** (house committee report) on line 8 by striking "\$10 [~~\$5~~] million" and substituting "\$7 [~~\$5~~] million".

Amendment No. 1 was adopted.

HB 2859, as amended, was passed to engrossment. (Laubenberg recorded voting no.)

HB 3101 ON SECOND READING
(by Morrison)

HB 3101, A bill to be entitled An Act relating to filing deadlines to become a write-in candidate in elections.

HB 3101 was passed to engrossment. (Simpson recorded voting no.)

CSHB 3103 ON SECOND READING
(by Morrison, E. Rodriguez, Klick, Wu, and R. Miller)

CSHB 3103, A bill to be entitled An Act relating to the administration of primary elections.

Amendment No. 1

Representative Murphy offered the following amendment to **CSHB 3103**:

Amend **CSHB 3103** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION _____. Section 181.033(a), Election Code, is amended to read as follows:

(a) Except as provided by Subsection (b), an application for nomination by a convention must be filed not later than the regular deadline for candidates to file applications for a place on the general primary ballot [~~5 p.m. on January 2 preceding the convention~~].

Amendment No. 1 was adopted.

Amendment No. 2

Representative Martinez Fischer offered the following amendment to **CSHB 3103**:

Amend **CSHB 3103** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) The secretary of state shall conduct a study on the effects of changing the presidential primary election date. In conducting the study, the secretary shall consult with all political parties in this state that hold presidential primary elections.

(b) The secretary of state shall report the results of this study and make recommendations for any legislation to the 84th Legislature.

(c) This section expires June 1, 2015.

Amendment No. 2 was adopted.

CSHB 3103, as amended, was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Hunter requested permission for the Committee on Calendars to meet while the house is in session, at 6 p.m. today, in 3W.15, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 6 p.m. today, 3W.15, for a formal meeting, to set a calendar.

CSHB 3121 ON SECOND READING
(by Harper-Brown, Ratliff, and Hilderbran)

CSHB 3121, A bill to be entitled An Act relating to the qualifications for the exemption from ad valorem taxation for aircraft parts located in this state for a limited time.

CSHB 3121 was passed to engrossment.

MESSAGE FROM THE SENATE

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

CSHB 3152 ON SECOND READING
(by Giddings)

CSHB 3152, A bill to be entitled An Act relating to the payment of and contracts with health care providers by certain entities under contract with a certified workers' compensation network.

CSHB 3152 was passed to engrossment.

CSHB 3196 ON SECOND READING
(by Price)

CSHB 3196, A bill to be entitled An Act relating to licensing and certification requirements for certain health facilities and to the allocation of Medicaid beds in certain of those facilities; increasing fees.

Amendment No. 1

Representative Price offered the following amendment to **CSHB 3196**:

Amend **CSHB 3196** (house committee printing) as follows:

(1) On page 2, line 7, strike "Subsections (d) and (e)" and substitute "Subsections (d), (e), and (f)".

(2) On page 2, strike lines 8 through 13 and substitute the following:

(d) The executive commissioner of the Health and Human Services Commission by rule may require an applicant for Medicaid beds in a nursing facility under a Medicaid bed waiver application to provide a performance bond

in the amount of \$500,000 or other financial security as determined by the department to ensure that the applicant provides the Medicaid beds granted to the applicant under the waiver within the time frame required by the department. A performance bond provided under this subsection must:

(3) On page 3, line 2, strike "that is to be constructed".

(4) On page 3, between lines 4 and 5, insert the following new subsection:

(f) The executive commissioner by rule shall adopt criteria to exempt certain applicants for Medicaid beds from the requirements of Subsection (d), including applicants that are licensed facilities with existing Medicaid bed allocations, criminal justice facilities, teaching facilities, and state veterans homes, and any other applicants that the executive commissioner finds good cause to exempt. The executive commissioner may modify the criteria for granting exemptions under this subsection as necessary to meet the objectives of Subsection (d).

(5) On page 3, line 12, strike "32.0213(d) and (e)," and substitute "32.0213(d), (e), and (f),".

(6) On page 3, line 15, strike "that is to be constructed".

Amendment No. 1 was adopted.

CSHB 3196, as amended, was passed to engrossment.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Aycock requested permission for the Committee on Public Education to meet while the house is in session, at 7 p.m. today, in 3W.15, to consider **SB 123, SB 376, SB 1142, SB 1365, and SB 1538**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Public Education, 7 p.m. today, 3W.15, for a formal meeting, to consider **SB 123, SB 376, SB 1142, SB 1365, and SB 1538**.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today to attend a meeting of the Committee on Calendars:

Alonzo on motion of Ratliff.

Branch on motion of Ratliff.

Cook on motion of Ratliff.

S. Davis on motion of Ratliff.

Eiland on motion of Ratliff.

Fruzzo on motion of Ratliff.

Geren on motion of Ratliff.

Hunter on motion of Ratliff.

Kuempel on motion of Ratliff.

Lucio on motion of Ratliff.

D. Miller on motion of Ratliff.

CSHB 3327 ON SECOND READING
(by Coleman, Márquez, Rose, Burkett, and J. Davis)

CSHB 3327, A bill to be entitled An Act relating to a list of mental health, substance abuse, and suicide prevention programs that may be selected for implementation by public schools.

CSHB 3327 was passed to engrossment.

HB 3370 ON SECOND READING
(by Craddick)

HB 3370, A bill to be entitled An Act relating to the authority of certain retired peace officers to carry certain firearms.

HB 3370 was passed to engrossment.

POSTPONED BUSINESS

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

CSHB 928 ON SECOND READING
(by Krause, Sanford, Fletcher, Lavender, Sheets, et al.)

CSHB 928, A bill to be entitled An Act relating to the enforcement of certain federal laws regulating firearms, firearm accessories, and firearm ammunition within the State of Texas.

CSHB 928 was read second time earlier today, amendments were offered and disposed of, and **CSHB 928** was postponed until 4:05 p.m. today, laid out as postponed business, additional amendments were offered and disposed of, and **CSHB 928** was again postponed until this time.

CSHB 928, as amended, was passed to engrossment. (Herrero and E. Rodriguez recorded voting no.)

GENERAL STATE CALENDAR
(consideration continued)

HB 3566 ON SECOND READING
(by Kleinschmidt)

HB 3566, A bill to be entitled An Act relating to the regulation of advertising by structural pest control businesses.

HB 3566 was passed to engrossment. (Schaefer and Simpson recorded voting no.)

(Branch, Cook, Eiland, Frullo, Kuempel, and D. Miller now present)

CSHB 167 ON SECOND READING
(by McClendon, Craddick, Perry, et al.)

CSHB 167, A bill to be entitled An Act relating to the establishment, operation, and funding of victim-offender mediation programs; authorizing a fee.

CSHB 167 was passed to engrossment. (Carter, Laubenberg, Taylor, and Zedler recorded voting no.)

HB 899 ON SECOND READING
(by Perry, P. King, et al.)

HB 899, A bill to be entitled An Act relating to certain rights of victims, guardians of victims, and close relatives of deceased victims in the criminal justice system.

Amendment No. 1

Representative Burnam offered the following amendment to **HB 899**:

Amend **HB 899** (house committee printing) by striking page 4, line 24, through page 5, line 5, and substituting the following:

(A) receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist; and

(B) not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court.

(Alonzo and S. Davis now present)

(Kuempel in the chair)

Amendment No. 1 was withdrawn.

HB 899 was passed to engrossment.

CSHB 1050 ON SECOND READING
(by Callegari)

CSHB 1050, A bill to be entitled An Act relating to construction-related and purchasing contracts by certain governmental entities.

CSHB 1050 was passed to engrossment.

(Hunter and Lucio now present)

CSHB 1129 ON SECOND READING
(by White, Menéndez, Schaefer, Sanford, et al.)

CSHB 1129, A bill to be entitled An Act relating to a program allowing certain military voters on active duty overseas to cast a ballot electronically.

CSHB 1129 was passed to engrossment.

SB 348 ON SECOND READING
(Kolkhorst - House Sponsor)

SB 348, A bill to be entitled An Act relating to a utilization review process for managed care organizations participating in the STAR + PLUS Medicaid managed care program.

SB 348 was considered in lieu of **HB 1159**.

SB 348 was passed to third reading.

HB 1159 - LAID ON THE TABLE SUBJECT TO CALL

Representative Kolkhorst moved to lay **HB 1159** on the table subject to call.

The motion prevailed.

CSHB 1228 ON SECOND READING
(by Dukes, S. Thompson, Raymond, Harless, Zerwas, et al.)

CSHB 1228, A bill to be entitled An Act relating to consideration by the court of sexual abuse and conduct that constitutes sexual assault in certain suits affecting the parent-child relationship.

CSHB 1228 was passed to engrossment.

CSHB 1302 ON SECOND READING
(by Clardy, Springer, Paddie, K. King, Toth, et al.)

CSHB 1302, A bill to be entitled An Act relating to the imposition of a sentence of life without parole on certain repeat sex offenders and to certain restrictions on employment for certain sex offenders.

Amendment No. 1

Representative Clardy offered the following amendment to **CSHB 1302**:

Amend **CSHB 1302** (house committee printing) as follows:

(1) In Section 1 of the bill, on page 1, line 19, strike "13" and substitute "14".

(2) In Section 2 of the bill, on page 2, line 11, strike "13" and substitute "14".

(3) In Section 3 of the bill, on page 4, line 11, strike "13" and substitute "14".

(4) Strike SECTION 8 and substitute the following:

SECTION 8. Section 12.42, Penal Code, is amended by adding Subsection (h) to read as follows:

(h) In this section, "sexually violent offense" means an offense:

(1) defined by Article 62.001, Code of Criminal Procedure; and

(2) for which an affirmative finding has been entered under Article 42.015(b) or Section 5(e)(2), Article 42.12, Code of Criminal Procedure, for any offense other than an offense under Section 21.02 (Continuous sexual abuse of young child or children) or 22.021 (Aggravated sexual assault).

Amendment No. 1 was adopted.

Amendment No. 2

Representative Clardy offered the following amendment to **CSHB 1302**:

Amend **CSHB 1302** (house committee printing) on page 7, line 12, by striking "17 years" and substituting "18 years".

Amendment No. 2 was adopted.

Amendment No. 3

Representative Canales offered the following amendment to **CSHB 1302**:

Amend **CSHB 1302** (house committee report), on page 5, line 18, between "person" and the semicolon, by inserting "unless the provision of service will be supervised".

Amendment No. 3 was adopted.

CSHB 1302, as amended, was passed to engrossment.

HB 1360 ON SECOND READING

(by Ritter)

HB 1360, A bill to be entitled An Act relating to the exemption from ad valorem taxation of real property leased to and used by certain schools.

Representative Ritter moved to postpone consideration of **HB 1360** until 6:40 p.m. today.

The motion prevailed.

HB 1392 ON SECOND READING

(by S. King, E. Rodriguez, et al.)

HB 1392, A bill to be entitled An Act relating to information provided by the Department of State Health Services on food regulation.

HB 1392 was passed to engrossment.

CSHB 1597 ON SECOND READING

(by N. Gonzalez, Kacal, Nevárez, Cortez, Menéndez, et al.)

CSHB 1597, A bill to be entitled An Act relating to installment payments of ad valorem taxes.

Amendment No. 1

Representative Morrison offered the following amendment to **CSHB 1597**:

Amend **CSHB 1597** by striking page 1, line 6 through line 16 and inserting: Sec. 31.031. INSTALLMENT PAYMENTS OF CERTAIN HOMESTEAD TAXES. (a) This section applies to any individual who qualifies for an exemption under Sec. 11.13, Tax Code.

Amendment No. 1 was withdrawn.

CSHB 1597 was passed to engrossment.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 21).

POSTPONED BUSINESS

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

(Geren now present)

HB 1360 ON SECOND READING

(by Ritter)

HB 1360, A bill to be entitled An Act relating to the exemption from ad valorem taxation of real property leased to and used by certain schools.

HB 1360 was read second time earlier today and was postponed until this time.

HB 1360 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE C. TURNER: Thank you, Mr. Ritter, and I appreciate you working with Representative Sylvester Turner and me on a possible amendment. And when we talked with Lege Council, they told us that the section of the code that you're amending already limits the definition of school to, basically, a public school, or an open-enrollment, or a type of charter school, but would exclude a private school—is that your understanding of what they told us?

REPRESENTATIVE RITTER: That's correct, Chris. That's totally correct. It relates to Chapter 11 of the Tax Code—Chapter 11, 21(b), and (b)(5) specifically says "non-profit."

C. TURNER: Great, okay. And so, now with that clarification, the intent of your legislation, then, is this property tax exemption would be passed to a school leasing a property, and that would include a public school, or a type of charter school, but not a for-profit institution—a for-profit private school?

RITTER: That's correct.

C. TURNER: Okay, great. Thank you for working with me to point that out.

REMARKS ORDERED PRINTED

Representative C. Turner moved to print remarks between Representative Ritter and Representative C. Turner.

The motion prevailed.

HB 1360 was passed to engrossment.

GENERAL STATE CALENDAR
(consideration continued)

CSHB 1931 ON SECOND READING
(by Guillen, Flynn, Lozano, et al.)

CSHB 1931, A bill to be entitled An Act relating to compensation of property owners whose property is damaged as a result of a pursuit involving a law enforcement agency.

Amendment No. 1

Representative Guillen offered the following amendment to **CSHB 1931**:

Amend **CSHB 1931** (house committee printing) by striking SECTION 1 of the bill and substituting:

SECTION 1. Section 683.015, Transportation Code, is amended by amending Subsections (d), (f), and (g) and adding Subsection (h) to read as follows:

(d) A municipality or county may transfer funds in excess of \$1,000 from the account to the municipality's or county's general revenue account to be used by the law enforcement agency or, if the vehicle, aircraft, watercraft, or outboard motor was located in a county with a population of less than 150,000, by the attorney representing the state.

(f) A law enforcement agency or an attorney representing the state may use funds transferred under Subsection (d) to compensate property owners whose property was damaged as a result of a pursuit involving a ~~the~~ law enforcement agency, regardless of whether the agency would be liable under Chapter 101, Civil Practice and Remedies Code.

(g) Before a law enforcement agency or an attorney representing the state may compensate a property owner under Subsection (f) using funds transferred to a county under Subsection (d), the sheriff, ~~or~~ constable, or attorney representing the state must submit the proposed payment for compensation for consideration, and the commissioners court shall consider the proposed payment for compensation, at the next regularly scheduled meeting of the commissioners court.

(h) In this section, "attorney representing the state" means a district attorney, criminal district attorney, or county attorney performing the duties of a district attorney.

Amendment No. 1 was adopted.

CSHB 1931, as amended, was passed to engrossment.

HB 1992 ON SECOND READING
(by Smith, et al.)

HB 1992, A bill to be entitled An Act relating to the transfer of certain inmates to the Texas Department of Criminal Justice following pronouncement of the inmate's sentence.

HB 1992 was passed to engrossment.

SB 743 ON SECOND READING
(Lucio - House Sponsor)

SB 743, A bill to be entitled An Act relating to the penalties prescribed for repeated violations of certain court orders or conditions of bond in a family violence case.

SB 743 was considered in lieu of **HB 2172**.

SB 743 was passed to third reading.

HB 2172 - LAID ON THE TABLE SUBJECT TO CALL

Representative Lucio moved to lay **HB 2172** on the table subject to call.

The motion prevailed.

MESSAGE FROM THE SENATE

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

CSHB 2280 ON SECOND READING
(by Phillips)

CSHB 2280, A bill to be entitled An Act relating to prohibited employment by a bail bond surety.

Amendment No. 1

Representative Collier offered the following amendment to **CSHB 2280**:

Amend **CSHB 2280** (house committee printing), on page 1, line 8, between "if" and "the", by inserting ", within the preceding 10 years,".

Amendment No. 1 was adopted.

CSHB 2280, as amended, was passed to engrossment. (Schaefer recorded voting no.)

CSHB 2668 ON SECOND READING
(by Vo)

CSHB 2668, A bill to be entitled An Act relating to requirements applicable to meetings of the governing board of certain junior college districts.

CSHB 2668 was passed to engrossment by (Record 580): 128 Yeas, 14 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Bell; Bonnen, G.; Branch; Burkett; Burnam; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Howard; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer;

McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Oliveira; Orr; Otto; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, S.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Bohac; Bonnen, D.; Callegari; Craddick; Creighton; Darby; Fletcher; Harless; Hilderbran; Huberty; Paddie; Riddle; Thompson, E.; Toth.

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

Absent, Excused — Button; Giddings; Nevárez; Villarreal.

Absent, Excused, Committee Meeting — Crownover.

Absent — Aycock.

STATEMENTS OF VOTE

When Record No. 580 was taken, my vote failed to register. I would have voted no.

Aycock

I was shown voting yes on Record No. 580. I intended to vote no.

Bell

PROVIDING FOR A CONGRATULATORY AND MEMORIAL CALENDAR

Representative McClendon moved to set a congratulatory and memorial calendar for 10 a.m. Wednesday, May 8.

The motion prevailed.

COMMITTEE GRANTED PERMISSION TO MEET

Representative McClendon requested permission for the Committee on Rules and Resolutions to meet while the house is in session, at 7:30 p.m. today, in 3W.9, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, 7:30 p.m. today, 3W.9, for a formal meeting, to set a calendar.

CSHB 2691 ON SECOND READING (by Elkins)

CSHB 2691, A bill to be entitled An Act relating to the permissible noise level of a sound emitted from a motor vehicle audible warning device.

CSHB 2691 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE SPRINGER: We had this discussion at your desk, and I just wanted to sort of clarify the intent of the bill. It really is because of the inspection uncertainties. This bill is not intended to try to greatly reduce the horns that are out there today. A lot of the folks in the rural areas, we have louder horns. A lot of times we'll do accessories because we're trying to make sure deer aren't on the road, we're only a few cow pastures away. The intent is not to come down to a very quiet horn for everybody in the state, it's to set a standard that, based on what's available for sale today, that inspection people will know what to inspect to.

REPRESENTATIVE ELKINS: That's exactly what we're trying to accomplish, so that when you go to get the state inspection sticker—or to get your car inspected—even on your iPhone, right now, you can download a decibel meter and you can see the sounds, the loudness, on your decibel reader. And all we're trying to do is just, we don't want it subjective. We want there to be a clear standard so that what they're inspecting for, they can't say that it's too loud or too soft.

REMARKS ORDERED PRINTED

Representative Springer moved to print remarks between Representative Elkins and Representative Springer.

The motion prevailed.

CSHB 2691 was passed to engrossment. (Schaefer recorded voting no.)

**CSHB 2733 ON SECOND READING
(by White)**

CSHB 2733, A bill to be entitled An Act relating to the administration and operation of the Texas Juvenile Justice Department.

Amendment No. 1

Representative White offered the following amendment to **CSHB 2733**:

Amend **CSHB 2733** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 261.051(b), Human Resources Code, is amended to read as follows:

(b) A person appointed as independent ombudsman is eligible for reappointment [~~but may not serve more than three terms in that capacity~~].

Amendment No. 1 was adopted.

CSHB 2733, as amended, was passed to engrossment.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Select Committee on Federalism and Fiscal Responsibility, upon adjournment today, Desk 39, for a formal meeting, to consider pending business.

FIVE-DAY POSTING RULE SUSPENDED

Representative D. Bonnen moved to suspend the five-day posting rule to allow the Committee on Natural Resources to consider **HB 3898** at 8 a.m. tomorrow in E2.010.

The motion prevailed.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Natural Resources, 8 a.m. tomorrow, E2.010, for a public hearing, to consider **HB 3898** and the previously posted agenda.

FIVE-DAY POSTING RULE SUSPENDED

Representative Huberty moved to suspend the five-day posting rule to allow the Committee on Public Education to consider **SB 547** and the previously posted agenda at 2 p.m. or upon final adjournment tomorrow in E2.036.

The motion prevailed.

PROVIDING FOR ADJOURNMENT

At 7:35 p.m., Representative Herrero moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Taylor in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 7:49 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

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

List No. 1

HCR 117 (By Miles), Expressing support for the Voting Rights Act and urging the United States Congress to protect every citizen's right to participate in the political process by making permanent the provisions of Section 5 of that legislation.

To Elections.

HR 1812 (By Geren), Electing the children of house members to the office of mascot.

To House Administration.

HR 1813 (By Geren), Electing the children of house members to the office of mascot.

To House Administration.

HR 1846 (By Gonzales), Expressing opposition to the decision of the International Olympic Committee to omit freestyle and Greco-Roman wrestling from the Olympic Games.

To Culture, Recreation, and Tourism.

SB 4 to Natural Resources.

SB 24 to Higher Education.

SB 27 to Higher Education.

SB 44 to Human Services.

SB 171 to Homeland Security and Public Safety.

SB 315 to Elections.

SB 316 to Public Health.

SB 338 to Judiciary and Civil Jurisprudence.

SB 418 to Public Education.

SB 475 to Ways and Means.

SB 514 to Energy Resources.

SB 522 to Special Purpose Districts.

SB 549 to Criminal Jurisprudence.

SB 554 to Criminal Jurisprudence.

SB 592 to Criminal Jurisprudence.

SB 659 to Urban Affairs.

SB 780 to Criminal Jurisprudence.

SB 834 to Criminal Jurisprudence.

SB 835 to Ways and Means.

SB 837 to Natural Resources.

SB 854 to Licensing and Administrative Procedures.

SB 873 to Natural Resources.
SB 906 to Public Education.
SB 913 to Human Services.
SB 937 to Public Health.
SB 977 to Criminal Jurisprudence.
SB 1018 to Transportation.
SB 1061 to Defense and Veterans' Affairs.
SB 1062 to Public Education.
SB 1080 to Judiciary and Civil Jurisprudence.
SB 1098 to Special Purpose Districts.
SB 1100 to Public Health.
SB 1116 to Special Purpose Districts.
SB 1163 to Natural Resources.
SB 1199 to Defense and Veterans' Affairs.
SB 1207 to State Affairs.
SB 1216 to Insurance.
SB 1234 to Corrections.
SB 1258 to Higher Education.
SB 1268 to Business and Industry.
SB 1308 to Public Education.
SB 1309 to Public Education.
SB 1322 to Insurance.
SB 1340 to Licensing and Administrative Procedures.
SB 1350 to Transportation.
SB 1351 to State Affairs.
SB 1387 to Natural Resources.
SB 1391 to Economic and Small Business Development.
SB 1392 to Economic and Small Business Development.
SB 1402 to Judiciary and Civil Jurisprudence.
SB 1403 to Public Education.
SB 1413 to Pensions.
SB 1416 to Criminal Jurisprudence.
SB 1419 to Corrections.
SB 1439 to Criminal Jurisprudence.

- SB 1473** to County Affairs.
- SB 1479** to County Affairs.
- SB 1480** to County Affairs.
- SB 1481** to County Affairs.
- SB 1482** to Natural Resources.
- SB 1484** to Insurance.
- SB 1517** to Corrections.
- SB 1525** to Higher Education.
- SB 1535** to Public Health.
- SB 1553** to Urban Affairs.
- SB 1555** to Public Education.
- SB 1585** to Ways and Means.
- SB 1596** to County Affairs.
- SB 1598** to Ways and Means.
- SB 1601** to Special Purpose Districts.
- SB 1604** to Higher Education.
- SB 1605** to Transportation.
- SB 1609** to Public Health.
- SB 1620** to Judiciary and Civil Jurisprudence.
- SB 1630** to Judiciary and Civil Jurisprudence.
- SB 1638** to Economic and Small Business Development.
- SB 1640** to Economic and Small Business Development.
- SB 1646** to Public Health.
- SB 1655** to State Affairs.
- SB 1664** to Homeland Security and Public Safety.
- SB 1679** to State Affairs.
- SB 1680** to Government Efficiency and Reform.
- SB 1681** to Government Efficiency and Reform.
- SB 1718** to Public Education.
- SB 1719** to Economic and Small Business Development.
- SB 1741** to Higher Education.
- SB 1752** to Public Health.
- SB 1758** to Human Services.
- SB 1769** to Corrections.

SB 1772 to Corrections.
SB 1775 to Public Education.
SB 1798 to Criminal Jurisprudence.
SB 1801 to Natural Resources.
SB 1812 to Pensions.
SB 1827 to Judiciary and Civil Jurisprudence.
SB 1836 to Human Services.
SB 1837 to Natural Resources.
SB 1839 to Corrections.
SB 1842 to Public Health.
SB 1856 to County Affairs.
SB 1862 to Special Purpose Districts.
SB 1872 to Special Purpose Districts.
SB 1877 to Special Purpose Districts.
SB 1882 to Government Efficiency and Reform.
SB 1892 to Defense and Veterans' Affairs.
SB 1893 to Special Purpose Districts.
SB 1896 to Ways and Means.
SB 1900 to Special Purpose Districts.
SB 1901 to Special Purpose Districts.
SB 1902 to Special Purpose Districts.
SB 1903 to Special Purpose Districts.
SB 1907 to Homeland Security and Public Safety.
SB 1908 to Judiciary and Civil Jurisprudence.
SB 1916 to County Affairs.
SCR 26 to Culture, Recreation, and Tourism.

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

HB 3497 (By E. S. Turner), Relating to state savings and government efficiency through a taxpayer savings grant program.

To Government Efficiency and Reform.

SIGNED BY THE SPEAKER

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

Senate List No. 21

SB 162, SB 276, SB 330, SB 334, SB 349, SB 366, SB 411, SB 458, SB 466, SB 471, SB 506, SB 595, SB 649, SB 655, SB 686, SB 733, SB 777, SB 795, SB 849, SB 852, SB 885, SB 902, SB 905, SB 920, SB 972, SB 1019, SB 1026, SB 1041, SB 1157, SB 1236, SB 1537

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, May 6, 2013 - 1

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 443 Birdwell
Relating to leave for reserve law enforcement officers for required training.

SB 1351 Carona
Relating to demand-side electric energy resources in the competitive electric market.

SB 1416 Deuell
Relating to the determination of whether a use of force against another is justified.

SB 1586 Rodríguez
Relating to distributed renewable generation of electricity.

SB 1893 Birdwell
Relating to the creation of the Chisholm Trails Municipal Utility District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

SB 1916 West
Relating to the authority of the Dallas County Hospital District or a nonprofit corporation formed by the district regarding certain technology or intellectual property developed or in development by or for the district or corporation.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, May 6, 2013 - 2

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 35 Davis, Sarah SPONSOR: Huffman
In memory of Sergeant Jimmie DeVeril Norman of the Bellaire Police Department.

SB 1350 West
Relating to the motor vehicle inspection program; creating an offense; changing the collection method for certain fees.

SB 1542 Van de Putte
Relating to clinical initiatives to improve the quality of care and cost-effectiveness of the Medicaid program.

SB 1908 West
Relating to a study conducted by the Office of Court Administration of the Texas Judicial System and the repeal of certain court fees and costs.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, May 6, 2013 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 5 Aycock SPONSOR: Patrick

Relating to public school accountability, assessment and curriculum requirements for high school graduation, and funding in support of certain curriculum authorized for graduation; providing a criminal penalty.

(Committee Substitute/Amended)

HB 1994 Reynolds SPONSOR: Zaffirini

Relating to the purchase of certain commodity items by a state agency.

(Committee Substitute)

SB 1567 Davis

Relating to coverage of certain persons under an automobile insurance policy.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 4

Agriculture and Livestock - **SB 1095**

Corrections - **HB 2862**

Criminal Jurisprudence - **HB 36, HB 925, HB 1069, HB 1178, HB 1292, HB 1322, HB 1359, HB 1502, HB 1523, HB 1628, HB 1713, HB 1845, HB 2227, HB 2230, HB 2849, HB 2979, HB 3138, HB 3207, HB 3336, HB 3517, HB 3689, SB 369, SB 727, SB 878, SB 1360**

Culture, Recreation, and Tourism - **HCR 97, HCR 102, HCR 111, HCR 113, HCR 115, SCR 1, SCR 10, SCR 18, SCR 20**

Economic and Small Business Development - **HB 2340, SB 21, SB 328, SB 658, SB 1548**

Energy Resources - **HB 2166, HB 2590**

Higher Education - **HB 1052, HB 1486, HB 3792, SB 620**

Homeland Security and Public Safety - **SB 1189, SB 1729**

Insurance - **HB 2359, HB 2533, HB 2700, HB 3029, HB 3455, SB 697, SB 801, SB 822, SB 951, SB 1006, SB 1125, SB 1367, SB 1702**

Judiciary and Civil Jurisprudence - **HB 382, HB 454, HB 586, HB 1528, HB 1592, HB 1595, HB 1848, HB 2511, HB 2748, HB 2774, HB 2839, HB 3017, HB 3385, HB 3470, HB 3929, SB 1611**

Land and Resource Management - **HB 325**

Licensing and Administrative Procedures - **SB 617, SB 673, SB 973, SB 1035**

Natural Resources - **HB 2334, HB 2781**

Pensions - **SB 1133**

Public Education - **HB 1775, SB 1406**

Public Health - **HB 2401, HB 2426**

Special Purpose Districts - **HB 1912, HB 3878, HB 3916, HB 3938, HB 3939, SB 706**

State Affairs - **HB 3302, HB 3688, HCR 44, HCR 58**

Transportation - **SB 1461**

Urban Affairs - **HB 2021, HB 2924, HB 3015, HB 3757, SB 654, SB 660**

Ways and Means - **HB 1975, HB 2314, HB 2707, HB 2723, HB 2808, HB 3159**

ENGROSSED

May 4 - HB 3572

May 5 - HB 31, HB 213, HB 595, HB 852, HB 1562, HB 1606, HB 1645, HB 1751, HB 1824, HB 1903, HB 1926, HB 1967, HB 2015, HB 2049, HB 2062, HB 2127, HB 2152, HB 2202, HB 2267, HB 2383, HB 2451, HB 2473, HB 2512, HB 2615, HB 2732, HB 2741, HB 2757, HB 2782, HB 2840, HB 2873, HB 2877, HB 2978, HB 3093, HB 3158, HB 3241, HB 3390

