

HOUSE JOURNAL

EIGHTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-SIXTH DAY — MONDAY, MAY 20, 2013

The house met at 1:40 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 936).

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; Craddock; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Absent, Excused — Turner, E.S.

LEAVES OF ABSENCE GRANTED

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

RULES SUSPENDED

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

The motion prevailed.

MOTION FOR ONE RECORD VOTE

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

LOCAL, CONSENT, AND RESOLUTIONS CALENDAR THIRD READING

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

(Record 937): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; 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; Giddings; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Turner, E.S.

SB 31

SB 62 (Sanford - no) (146 - 1 - 2) (Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 66

SB 127

SB 281

SB 389

SB 391

SB 393 (Creighton, Kolkhorst, and Simmons - no) (144 - 3 - 2) (Carter requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 464**SB 474**

SB 511 (Simmons - no) (146 - 1 - 2)

SB 533**SB 545**

SB 551 (Anderson, Creighton, Flynn, Huberty, Kolkhorst, Krause, Schaefer, Stickland, and Zedler - no) (138 - 9 - 2) (Carter and Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 553

SB 564 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 605 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 606 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 608 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 609 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 623 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 658**SB 677**

SB 691 (Creighton, Huberty, Kolkhorst, Sanford, Schaefer, and Stickland - no) (141 - 6 - 2) (Carter and Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 701**SB 745****SB 778****SB 816****SB 817****SB 831**

SB 839 (Huberty and Schaefer - no) (145 - 2 - 2)

SB 841

SB 856

SB 863 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 877

SB 904

SB 913 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 918

SB 958 (Anderson, Flynn, and Zedler - no) (144 - 3 - 2)

SB 976 (Huberty, Schaefer, Simmons, and Taylor - no) (143 - 4 - 2)

SB 1031 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1063

SB 1065 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1066 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1068 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1069 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1086 (Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1192

SB 1224

SB 1241

SB 1282

SB 1299

SB 1376

SB 1422

SB 1473

SB 1510

SB 1531

SB 1536 (Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1542 (Huberty, Krause, Schaefer, Stickland, and Taylor - no)
(142 - 5 - 2)

SB 1548

SB 1759

SB 1820 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1821 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1823

SB 1828 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1831

SB 1832

SB 1835

SB 1836 (Huberty, Sanford, and Schaefer - no) (144 - 3 - 2) (Simpson requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1838 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1841 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1846 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1847 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1852 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1854 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1855

SB 1861

SB 1864 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1869 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1870 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1878 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1884 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1893 (Capriglione requested to be recorded voting no after the deadline established by Rule 5, Section 52 of the House Rules.)

SB 1914

SB 1437

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).

HB 773 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

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

HB 773, A bill to be entitled An Act relating to a requirement that students at an open-enrollment charter school recite the pledges of allegiance to the United States flag and the state flag.

Representative Farney moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 773**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 773**: Farney, chair; Aycock, Branch, Lucio, and Deshotel.

HB 788 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 788, A bill to be entitled An Act relating to permitting of greenhouse gas emissions by the Texas Commission on Environmental Quality; limiting the amount of a fee.

Representative Smith moved to concur in the senate amendments to **HB 788**.

The motion to concur in the senate amendments to **HB 788** prevailed by (Record 938): 139 Yeas, 5 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Carter; Clardy; Coleman; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby;

Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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; 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; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Capriglione; Collier; Fallon; Simpson; Stickland.

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

Absent, Excused — Turner, E.S.

Absent — Isaac; Krause; Sanford.

STATEMENTS OF VOTE

When Record No. 938 was taken, I was in the house but away from my desk. I would have voted yes.

Isaac

When Record No. 938 was taken, I was temporarily out of the house chamber. I would have voted yes.

Krause

I was shown voting yes on Record No. 938. I intended to vote no.

Nevárez

When Record No. 938 was taken, I was temporarily out of the house chamber. I would have voted yes.

Sanford

Senate Committee Substitute

CSHB 788, A bill to be entitled An Act relating to permitting of greenhouse gas emissions by the Texas Commission on Environmental Quality; limiting the amount of a fee.

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

SECTION 1. The legislature finds that in the interest of the continued vitality and economic prosperity of this state, the Texas Commission on Environmental Quality, because of its technical expertise and experience in processing air quality permit applications, is the preferred permitting authority for emissions of greenhouse gases.

SECTION 2. Subchapter C, Chapter 382, Health and Safety Code, is amended by adding Section 382.05102 to read as follows:

Sec. 382.05102. PERMITTING AUTHORITY OF COMMISSION; GREENHOUSE GAS EMISSIONS. (a) In this section, "greenhouse gas emissions" means emissions of:

- (1) carbon dioxide;
- (2) methane;
- (3) nitrous oxide;
- (4) hydrofluorocarbons;
- (5) perfluorocarbons; and
- (6) sulfur hexafluoride.

(b) To the extent that greenhouse gas emissions require authorization under federal law, the commission may authorize greenhouse gas emissions in a manner consistent with Section 382.051.

(c) The commission shall:

(1) adopt rules to implement this section, including rules specifying the procedures to transition to review by the commission any applications pending with the United States Environmental Protection Agency for approval under 40 C.F.R. Section 52.2305; and

(2) prepare and submit appropriate federal program revisions to the United States Environmental Protection Agency for approval.

(d) The permit processes authorized by this section are not subject to the requirements relating to a contested case hearing under this chapter, Chapter 5, Water Code, or Subchapters C-G, Chapter 2001, Government Code.

(e) If authorization to emit greenhouse gas emissions is no longer required under federal law, the commission shall:

(1) repeal the rules adopted under Subsection (c); and

(2) prepare and submit appropriate federal program revisions to the United States Environmental Protection Agency for approval.

SECTION 3. Section 382.0621, Health and Safety Code, is amended by adding Subsection (f) to read as follows:

(f) The commission may impose fees for emissions of greenhouse gas only to the extent the fees are necessary to cover the commission's additional reasonably necessary direct costs of implementing Section 382.05102.

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.

PARLIAMENTARY INQUIRY

REPRESENTATIVE TAYLOR: Is today Monday?

CHAIR (Speaker pro tempore in the chair): Last time I checked.

TAYLOR: Okay, so I'm looking at the items eligible for consideration, supplemental house calendar, local and consent calendar—all indicate that today is Monday. Is that correct?

CHAIR: That is correct.

TAYLOR: Okay, and will it be Monday until midnight tonight?

CHAIR: Physically speaking, it will be, yes. Legislatively, it may not.

TAYLOR: Okay, but is today the calendar Monday?

CHAIR: Yes.

REMARKS ORDERED PRINTED

Representative Taylor moved to print remarks between the chair and Representative Taylor.

The motion prevailed.

HB 429 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

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

HB 429, A bill to be entitled An Act relating to the definition of rural area for purposes of certain housing assistance administered by the Texas Department of Housing and Community Affairs.

Representative Guillen moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 429**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 429**: Guillen, chair; Muñoz, Larson, Flynn, and Lozano.

HB 338 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 338, A bill to be entitled An Act relating to the court in which a hearing regarding the towing of a motor vehicle may be held.

Representative Guillen moved to concur in the senate amendments to **HB 338**.

The motion to concur in the senate amendments to **HB 338** prevailed by (Record 939): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; 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; Giddings; 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; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Turner, E.S.

Absent — Cortez; Ratliff; Rodriguez, E.

STATEMENT OF VOTE

When Record No. 939 was taken, my vote failed to register. I would have voted yes.

Cortez

Senate Committee Substitute

CSHB 338, A bill to be entitled An Act relating to the court in which a hearing regarding the towing of a motor vehicle may be held.

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

SECTION 1. Section 2308.453, Occupations Code, is amended to read as follows:

Sec. 2308.453. JURISDICTION. A hearing under this chapter shall be in any the justice court having jurisdiction in:

- (1) the county precinct from which the motor vehicle was towed; or
- (2) for booted vehicles, the county precinct in which the parking facility is located.

SECTION 2. Section 2308.455, Occupations Code, is amended to read as follows:

Sec. 2308.455. CONTENTS OF NOTICE. The notice under Section 2308.454 must include:

- (1) a statement of:
 - (A) the person's right to submit a request within 14 days for a court hearing to determine whether probable cause existed to remove, or install a boot on, the vehicle;
 - (B) the information that a request for a hearing must contain; ~~and~~
 - (C) any filing fee for the hearing; and
 - (D) the person's right to request a hearing in any justice court in:
 - (i) the county from which the vehicle was towed; or

(ii) for booted vehicles, the county in which the parking facility is located;

(2) the name, address, and telephone number of the towing company that removed the vehicle or the booting company that booted the vehicle;

(3) the name, address, ~~and~~ telephone number, and county of the vehicle storage facility in which the vehicle was placed;

(4) the name, street address including city, state, and zip code, and telephone number of the person, parking facility owner, or law enforcement agency that authorized the removal of the vehicle; and

(5) the name, address, and telephone number of each ~~the~~ justice court ~~[having jurisdiction]~~ in the county from ~~[precinct in]~~ which the vehicle was towed or, for booted vehicles, the county in which the parking facility is located, or the address of an Internet website maintained by the Office of Court Administration of the Texas Judicial System that contains the name, address, and telephone number of each justice court in that county ~~[parking facility is located]~~.

SECTION 3. The change in law made by this Act applies only to a cause of action filed on or after the effective date of this Act. A cause of action filed before the effective date of this Act is governed by the law in effect on the date the action was filed, and the former law is continued in effect for that purpose.

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.

HB 396 - HOUSE REFUSES TO CONCUR IN SENATE AMENDMENTS CONFERENCE COMMITTEE APPOINTED

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 396, A bill to be entitled An Act relating to providing a federal postcard applicant with a ballot for certain elections in which the applicant is eligible to vote.

Representative S. Thompson moved that the house not concur in the senate amendments and that a conference committee be requested to adjust the differences between the two houses on **HB 396**.

The motion prevailed.

The chair announced the appointment of the following conference committee, on the part of the house, on **HB 396**: S. Thompson, chair; Howard, R. Miller, S. Davis, and Burnam.

HB 2725 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative S. Thompson called up with senate amendments for consideration at this time,

HB 2725, A bill to be entitled An Act relating to the confidentiality of certain records maintained by a victims of trafficking shelter center and the creation of minimum standards for certain facilities that provide services to victims of trafficking.

Representative S. Thompson moved to concur in the senate amendments to **HB 2725**.

The motion to concur in the senate amendments to **HB 2725** prevailed by (Record 940): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; 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; Giddings; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Turner, E.S.

Senate Committee Substitute

CSHB 2725, A bill to be entitled An Act relating to the confidentiality of certain records maintained by a victims of trafficking shelter center and the creation of minimum standards for certain facilities that provide services to victims of trafficking.

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

SECTION 1. The heading to Section 552.138, Government Code, is amended to read as follows:

Sec. 552.138. EXCEPTION: CONFIDENTIALITY OF FAMILY VIOLENCE SHELTER CENTER, VICTIMS OF TRAFFICKING SHELTER CENTER, AND SEXUAL ASSAULT PROGRAM INFORMATION.

SECTION 2. Section 552.138(a), Government Code, is amended by adding Subdivision (3) to read as follows:

(3) "Victims of trafficking shelter center" means:

(A) a program that:

(i) is operated by a public or private nonprofit organization;
and

(ii) provides comprehensive residential and nonresidential services to persons who are victims of trafficking under Section 20A.02, Penal Code; or

(B) a child-placing agency, as defined by Section 42.002, Human Resources Code, that provides services to persons who are victims of trafficking under Section 20A.02, Penal Code.

SECTION 3. Sections 552.138(b) and (c), Government Code, are amended to read as follows:

(b) Information maintained by a family violence shelter center, victims of trafficking shelter center, or sexual assault program is excepted from the requirements of Section 552.021 if it is information that relates to:

(1) the home address, home telephone number, or social security number of an employee or a volunteer worker of a family violence shelter center, victims of trafficking shelter center, or [a] sexual assault program, regardless of whether the employee or worker complies with Section 552.024;

(2) the location or physical layout of a family violence shelter center or victims of trafficking shelter center;

(3) the name, home address, home telephone number, or numeric identifier of a current or former client of a family violence shelter center, victims of trafficking shelter center, or sexual assault program;

(4) the provision of services, including counseling and sheltering, to a current or former client of a family violence shelter center, victims of trafficking shelter center, or sexual assault program;

(5) the name, home address, or home telephone number of a private donor to a family violence shelter center, victims of trafficking shelter center, or sexual assault program; or

(6) the home address or home telephone number of a member of the board of directors or the board of trustees of a family violence shelter center, victims of trafficking shelter center, or sexual assault program, regardless of whether the board member complies with Section 552.024.

(c) A governmental body may redact information maintained by a family violence shelter center, victims of trafficking shelter center, or sexual assault program that may be withheld under Subsection (b)(1) or (6) from any information the governmental body discloses under Section 552.021 without the necessity of requesting a decision from the attorney general under Subchapter G.

SECTION 4. Section 42.042, Human Resources Code, is amended by adding Subsection (g-2) to read as follows:

(g-2) The executive commissioner by rule shall adopt minimum standards that apply to general residential operations that provide comprehensive residential and nonresidential services to persons who are victims of trafficking under Section 20A.02, Penal Code. In adopting the minimum standards under this subsection, the executive commissioner shall consider:

(1) the special circumstances and needs of victims of trafficking of persons; and

(2) the role of the general residential operations in assisting and supporting victims of trafficking of persons.

SECTION 5. 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.

**HB 2772 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

Representative J. Rodriguez called up with senate amendments for consideration at this time,

HB 2772, A bill to be entitled An Act relating to an interim study regarding the method by which district judges and appellate justices and judges are selected.

Representative J. Rodriguez moved to concur in the senate amendments to **HB 2772**.

The motion to concur in the senate amendments to **HB 2772** prevailed by (Record 941): 128 Yeas, 16 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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, S.; King, T.; Kleinschmidt; Kolkhorst; 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; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Simmons; Smith; Smithee; Springer; Strama; Taylor; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Bell; Capriglione; Creighton; Fallon; Isaac; Klick; Krause; Phillips; Riddle; Sanford; Schaefer; Sheffield, R.; Simpson; Stickland; Toth; White.

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

Absent, Excused — Turner, E.S.

Absent — King, P.; Rodriguez, E.; Stephenson.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 941. I intended to vote no.

Craddick

I was shown voting yes on Record No. 941. I intended to vote no.

Fletcher

I was shown voting yes on Record No. 941. I intended to vote no.

Hilderbran

I was shown voting yes on Record No. 941. I intended to vote no.

Parker

I was shown voting yes on Record No. 941. I intended to vote no.

Springer

Senate Committee Substitute

CSHB 2772, A bill to be entitled An Act relating to an interim study regarding the method by which certain judicial officers are selected.

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

SECTION 1. INTERIM COMMITTEE; STUDY. (a) The joint interim committee on judicial selection is established to study and review the method by which the following judicial officers are selected in this state:

(1) statutory county court judges, including statutory probate court judges;

(2) district judges; an

(3) appellate justices and judges.

(b) The study must consider:

(1) the fairness, effectiveness, and desirability of selecting a judicial officer described in Subsection (a) of this section through partisan elections;

(2) the fairness, effectiveness, and desirability of judicial selection methods proposed or adopted by other states; and

(3) the relative merits of alternative methods for selecting a judicial officer described in Subsection (a) of this section, including:

(A) lifetime appointment;

(B) appointment for a term;

(C) appointment for a term, followed by a partisan election;

(D) appointment for a term, followed by a nonpartisan election;

(E) appointment for a term, followed by a nonpartisan retention election;

(F) partisan election for an open seat, followed by a nonpartisan retention election for incumbents; and

(G) any other method or combination of methods for selecting a judicial officer described by Subsection (a) of this section.

(c) The joint interim committee shall be composed of six senators and six members of the house of representatives as follows:

(1) the chair of the senate jurisprudence committee, the chair of the senate criminal justice committee, and four senators appointed by the lieutenant governor; and

(2) the chair of the judiciary and civil jurisprudence committee of the house of representatives, the chair of the criminal jurisprudence committee of the house of representatives, and four members of the house of representatives appointed by the speaker of the house of representatives.

(d) When making appointments under Subsection (c) of this section, the lieutenant governor shall ensure that three senators from the majority party of the senate are appointed to the committee and three senators from the minority party of the senate are appointed to the committee. When making appointments under Subsection (c) of this section, the speaker of the house of representatives shall ensure that three members from the majority party of the house of representatives are appointed to the committee and three members from the minority party of the house of representatives are appointed to the committee.

(e) The lieutenant governor and speaker of the house of representatives shall each designate a co-chair from among the committee members.

(f) The joint interim committee shall convene at the joint call of the co-chairs.

(g) The joint interim committee has all other powers and duties provided to a special or select committee by the rules of the senate and house of representatives, by Subchapter B, Chapter 301, Government Code, and by policies of the senate and house committees on administration.

(h) Not later than January 6, 2015, the joint interim committee shall report the committee's findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor. The committee shall include its recommendations specific constitutional and statutory changes that appear necessary from the results of the committee's study.

(i) From the contingent expense fund of the senate and the contingent expense fund of the house of representatives equally, the members of the joint interim committee shall be reimbursed for expenses incurred in carrying out the provisions of this Act in accordance with the senate and house of representatives rules of procedure and the policies of the committees on administration. Other necessary expenses of operation shall be paid from the contingent expense fund of the senate and the contingent expense fund of the house of representatives equally.

(j) The Texas Legislative Council shall provide legal and policy research, bill drafting, and statistical analysis services to the committee created under this section.

SECTION 2. ABOLITION OF COMMITTEE. The committee is abolished and this Act expires January 12, 2015.

SECTION 3. EFFECTIVE DATE. 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.

HB 4 - ADOPTION OF CONFERENCE COMMITTEE REPORT

Representative Ritter submitted the following conference committee report on **HB 4**:

Austin, Texas, May 17, 2013

The Honorable David Dewhurst
President of the Senate

The Honorable Joe Straus
Speaker of the House of Representatives

Sirs: We, your conference committee, appointed to adjust the differences between the senate and the house of representatives on **HB 4** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Fraser

Hegar

Estes

Uresti

Williams

On the part of the senate

Ritter

Lucio

Callegari

D. Miller

Keffer

On the part of the house

HB 4, A bill to be entitled An Act relating to the administration of the Texas Water Development Board and the funding of water projects by the board and other entities; authorizing the issuance of revenue bonds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
ARTICLE 1. ADMINISTRATION OF THE TEXAS WATER DEVELOPMENT
BOARD

SECTION 1.01. Sections 6.052(a) and (b), Water Code, are amended to read as follows:

(a) The board is composed of three ~~six~~ members who are appointed by the governor with the advice and consent of the senate. One member must have experience in the field of engineering, one member must have experience in the field of public or private finance, and one member must have experience in the field of law or business.

(b) The governor shall make the appointments in such a manner that the members reflect the diverse geographic regions and population groups of this state and do not have any conflicts ~~[each member is from a different section of the state and has no conflict]~~ of interest prohibited by state or federal law.

SECTION 1.02. Section 6.053, Water Code, is amended by adding Subsection (d) to read as follows:

(d) A person is not eligible for appointment to the board if the person served on the board on or before January 1, 2013.

SECTION 1.03. Section 6.054, Water Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) If the executive administrator or a member has knowledge that a potential ground for removal exists, the executive administrator shall notify the chairman of the board of the potential ground. The chairman of the board shall then notify the governor and the attorney general that a potential ground for removal exists. If the potential ground for removal includes the chairman of the board, the executive administrator or another member of the board shall notify the

member [next highest ranking officer] of the board with the most seniority, who shall then notify the governor and the attorney general that a potential ground for removal exists.

(d) The governor, with the advice and consent of the senate, may remove a board member from office as provided by Section 9, Article XV, Texas Constitution.

SECTION 1.04. Section 6.056, Water Code, is amended to read as follows:

Sec. 6.056. TERMS OF OFFICE. (a) The members of the board hold office for staggered terms of six years, with the term [terms] of one member [two members] expiring February 1 of each odd-numbered year [every two years]. Each member holds office until a [his] successor is appointed and has qualified.

(b) A person appointed to the board may not serve for more than two six-year terms.

SECTION 1.05. Section 6.059, Water Code, is amended to read as follows:

Sec. 6.059. CHAIRMAN OF THE BOARD [~~OFFICERS~~]. ~~[(a)]~~ The governor shall designate one member as chairman of the board to serve at the will of the governor.

~~[(b) The members of the board shall elect a vice chairman every two years. The board shall fill a vacancy in the office of vice chairman for the remainder of the unexpired term.]~~

SECTION 1.06. Sections 6.060(a) and (b), Water Code, are amended to read as follows:

(a) The board shall hold regular meetings and all hearings at times specified by a board order and entered in its minutes [meet at least once every other month on a day and at a place within the state selected by it, subject to recesses at the discretion of the board]. The [chairman or two] board [members] may hold special meetings at the times and places in this state that the board decides are appropriate for the performance of its duties. The chairman of the board or the board member acting for the chairman shall give the other members reasonable notice before holding a special meeting [call a special meeting at any time by giving notice to the other members].

(b) The chairman [or in his absence the vice chairman] shall preside at all meetings of the board. The chairman may designate another board member to act for the chairman in the chairman's absence.

SECTION 1.07. Section 6.061, Water Code, is amended to read as follows:

Sec. 6.061. FULL-TIME SERVICE. Each member of the board shall serve on a full-time basis. ~~[COMPENSATION; EXPENSES. A member is entitled to receive an amount as provided by the General Appropriations Act for each day he serves in the performance of his duties, together with travel and other necessary expenses.]~~

SECTION 1.08. Section 6.103, Water Code, is amended to read as follows:

Sec. 6.103. EXECUTIVE ADMINISTRATOR. The board shall appoint a person to be the executive administrator to serve at the will of the board. A person is not eligible for appointment as the executive administrator if the person served in that capacity on January 1, 2013.

SECTION 1.09. (a) Not later than September 1, 2013, the governor shall appoint the initial members of the Texas Water Development Board under Section 6.052, Water Code, as amended by this Act. In appointing the initial members of the board, the governor shall appoint one person to a term expiring February 1, 2015, one to a term expiring February 1, 2017, and one to a term expiring February 1, 2019.

(b) The terms of the current members of the board expire September 1, 2013.

SECTION 1.10. (a) Not later than October 1, 2013, the Texas Water Development Board shall appoint the executive administrator of the board under Section 6.103, Water Code, as amended by this Act.

(b) The person currently serving as the executive administrator of the board ceases to serve in that capacity on the date a new executive administrator is appointed under Subsection (a) of this section.

ARTICLE 2. FUNDING OF WATER PROJECTS

SECTION 2.01. (a) The legislature recognizes the importance of providing for this state's future water supply needs. The purpose of this article is to ensure that proper funding in the form of meaningful and adequate financial assistance is available to provide an adequate water supply for the future of this state.

(b) To accomplish that purpose, this article creates the state water implementation fund for Texas. The fund is intended to serve as a water infrastructure bank in order to enhance the financing capabilities of the Texas Water Development Board under constitutionally created programs and revenue bond programs. The fund provides a source of revenue or security for those programs and provides a cash flow mechanism under which money used in board programs flows back to the fund to provide protection for the fund's corpus. Money in the fund will be available immediately to provide support for low-interest loans, longer repayment terms for loans, incremental repurchase terms for projects in which the state owns an interest, and deferral of loan payments. Money in the fund may not be used to make grants. In addition, this article creates the state water implementation revenue fund for Texas for use in managing revenue bonds issued by the board that are supported by the state water implementation fund for Texas.

SECTION 2.02. Chapter 15, Water Code, is amended by adding Subchapters G and H to read as follows:

SUBCHAPTER G. STATE WATER IMPLEMENTATION FUND FOR TEXAS

Sec. 15.431. DEFINITIONS. In this subchapter:

(1) "Advisory committee" means the State Water Implementation Fund for Texas Advisory Committee.

(2) "Fund" means the state water implementation fund for Texas.

(3) "Historically underutilized business" has the meaning assigned by Section 2161.001, Government Code.

(4) "Trust company" means the Texas Treasury Safekeeping Trust Company.

Sec. 15.432. FUND. (a) The state water implementation fund for Texas is a special fund in the state treasury outside the general revenue fund to be used by the board, without further legislative appropriation, for the purpose of implementing the state water plan as provided by this subchapter. The board may establish separate accounts in the fund. The fund and the fund's accounts are kept and held by the trust company for and in the name of the board. The board has legal title to money and investments in the fund until money is disbursed from the fund as provided by this subchapter and board rules. It is the intent of the legislature that the fund will never be used:

(1) for a purpose other than the support of projects in the state water plan; or

(2) to certify that appropriations from the treasury are within the amount estimated to be available in a fund of the treasury affected by the appropriation.

(b) Money deposited to the credit of the fund may be used only as provided by this subchapter.

(c) The fund consists of:

(1) money transferred or deposited to the credit of the fund by law, including money from any source transferred or deposited to the credit of the fund at the board's discretion as authorized by law;

(2) the proceeds of any fee or tax imposed by this state that by statute is dedicated for deposit to the credit of the fund;

(3) any other revenue that the legislature by statute dedicates for deposit to the credit of the fund;

(4) investment earnings and interest earned on amounts credited to the fund; and

(5) money transferred to the fund under a bond enhancement agreement from another fund or account to which money from the fund was transferred under a bond enhancement agreement, as authorized by Section 15.435.

Sec. 15.433. MANAGEMENT AND INVESTMENT OF FUND. (a) The trust company shall hold and invest the fund, and any accounts established in the fund, for and in the name of the board, taking into account the purposes for which money in the fund may be used. The fund may be invested with the state treasury pool.

(b) The overall objective for the investment of the fund is to maintain sufficient liquidity to meet the needs of the fund while striving to preserve the purchasing power of the fund.

(c) The trust company has any power necessary to accomplish the purposes of managing and investing the assets of the fund. In managing the assets of the fund, through procedures and subject to restrictions the trust company considers appropriate, the trust company may acquire, exchange, sell, supervise, manage, or retain any kind of investment that a prudent investor, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances of the fund then prevailing, taking into consideration the investment of all the assets of the fund rather than a single investment.

(d) The trust company may charge fees to cover its costs incurred in managing and investing the fund. The fees must be consistent with the fees the trust company charges other state and local governmental entities for which it provides investment management services. The trust company may recover fees it charges under this subsection only from the earnings of the fund.

(e) The trust company annually shall provide a written report to the board and to the advisory committee with respect to the investment of the fund. The trust company shall contract with a certified public accountant to conduct an independent audit of the fund annually and shall present the results of each annual audit to the board and to the advisory committee. This subsection does not affect the state auditor's authority to conduct an audit of the fund under Chapter 321, Government Code.

(f) The trust company shall adopt a written investment policy that is appropriate for the fund. The trust company shall present the investment policy to the investment advisory board established under Section 404.028, Government Code. The investment advisory board shall submit to the trust company recommendations regarding the policy.

(g) The board annually shall provide to the trust company a forecast of the cash flows into and out of the fund. The board shall provide updates to the forecasts as appropriate to ensure that the trust company is able to achieve the objective specified by Subsection (b).

(h) The trust company shall disburse money from the fund as directed by the board. The board shall direct disbursements from the fund on a semiannual schedule specified by the board and not more frequently than twice in any state fiscal year.

(i) An investment-related contract entered into under this section is not subject to Chapter 2260, Government Code.

Sec. 15.434. USE OF FUND; PAYMENTS TO AND FROM OTHER FUNDS OR ACCOUNTS. (a) At the direction of the board, the trust company shall make disbursements from the fund to another fund or account pursuant to a bond enhancement agreement authorized by Section 15.435 in the amounts the board determines are needed for debt service payments on or security provisions of the board's general obligation bonds or revenue bonds, after considering all other sources available for those purposes in the respective fund or account.

(b) Of the money disbursed from the fund during the five-year period between the adoption of a state water plan and the adoption of a new plan, the board shall undertake to apply not less than:

(1) 10 percent to support projects described by Section 15.435 that are for:

- (A) rural political subdivisions as defined by Section 15.992; or
- (B) agricultural water conservation; and

(2) 20 percent to support projects described by Section 15.435, including agricultural irrigation projects, that are designed for water conservation or reuse.

Sec. 15.435. BOND ENHANCEMENT AGREEMENTS. (a) A bond enhancement agreement entered into under this section is an agreement for professional services. A bond enhancement agreement must contain terms that are consistent with Section 15.433(h), and the agreement, including the period covered by the agreement and all other terms and conditions of the agreement, must be approved by the board. An obligation to disburse money from the fund, or from a special account established by the board, in accordance with a bond enhancement agreement is a special obligation of the board payable solely from designated income and receipts of the fund or of the account, as determined by the board. An obligation to disburse money from the fund, or from a special account established by the board, in accordance with a bond enhancement agreement does not constitute indebtedness of the state.

(b) To facilitate the use of the fund for the purposes of this subchapter, the board may direct the trust company to enter into bond enhancement agreements to provide a source of revenue or security for the payment of the principal of and interest on general obligation bonds, including bonds issued under Section 49-d-9 or 49-d-11, Article III, Texas Constitution, or revenue bonds issued by the board to finance or refinance projects included in the state water plan if the proceeds of the sale of the bonds have been or will be deposited to the credit of:

- (1) the state water implementation revenue fund for Texas;
- (2) the water infrastructure fund;
- (3) the rural water assistance fund;
- (4) the Texas Water Development Fund II state participation account; or
- (5) the agricultural water conservation fund.

(c) If the trust company enters into a bond enhancement agreement under Subsection (b), the board may direct the trust company to make disbursements from the fund to another fund or account for the support of bonds the proceeds of which are used to provide financial assistance in the form of:

(1) a loan bearing an interest rate of not less than 50 percent of the then-current market rate of interest available to the board;

(2) a loan to finance a facility under repayment terms similar to the terms of debt customarily issued by the entity requesting assistance but not to exceed the lesser of:

- (A) the expected useful life of the facility; or
- (B) 30 years;

- (3) a deferral of loan repayment, including deferral of the repayment of:
 - (A) principal and interest; or
 - (B) accrued interest;

(4) incremental repurchase terms for an acquired facility, including terms for no initial repurchase payment followed by progressively increasing incremental levels of interest payment, repurchase of principal and interest, and ultimate repurchase of the entire state interest in the facility using simple interest calculations; or

(5) a combination of the methods of financing described by Subdivisions (1)-(4).

(d) The board may direct the trust company to enter into bond enhancement agreements with respect to bonds issued by the board before September 1, 2013, only if:

(1) those bonds otherwise satisfy the requirements of Subsections (b) and (c);

(2) the proceeds of those bonds were or are required to be used only for the implementation of water projects recommended through the state and regional water planning processes under Sections 16.051 and 16.053; and

(3) general revenue of the state was appropriated before September 1, 2013, for the payment of debt service on those bonds.

(e) The board may direct the trust company to enter into bond enhancement agreements with respect to refunding bonds issued by the board to refund bonds issued by the board the proceeds of which have been or are to be used for projects included in the state water plan and which otherwise satisfied the requirements of Subsections (b) and (c).

(f) The board may not direct the trust company to enter into a bond enhancement agreement with respect to bonds issued by the board the proceeds of which have been or are to be used to make grants.

(g) The board may not direct the trust company to enter into a bond enhancement agreement with respect to bonds issued by the board the proceeds of which may be used to provide financial assistance to an applicant if at the time of the request the applicant has failed to:

(1) submit or implement a water conservation plan in accordance with Section 11.1271; or

(2) satisfactorily complete a request by the executive administrator or a regional water planning group for information relevant to the project for which the financial assistance is sought, including a water infrastructure financing survey under Section 16.053(q).

(h) The board may not direct the trust company to enter into a bond enhancement agreement with respect to bonds issued by the board the proceeds of which may be used to provide financial assistance to an applicant unless at the time of the request the applicant has acknowledged its legal obligation to comply with any applicable requirements of:

(1) federal law relating to contracting with disadvantaged business enterprises; and

(2) state law relating to contracting with historically underutilized businesses.

(i) The board may not approve a bond enhancement agreement with respect to bonds issued by the board unless the agreement contains a provision to the effect that if the trust company makes a disbursement under the bond enhancement agreement from the fund to the credit of another fund or account as provided by Section 15.434(a), the board shall direct the comptroller to transfer an amount not to exceed that amount from the fund or account receiving the payment back to the fund if:

(1) money is available in the surplus balance in the fund or account for that purpose; and

(2) the money transferred back to the fund will not cause general obligation bonds that are payable from the fund or account receiving the payment to no longer be self-supporting for purposes of Section 49-j(b), Article III, Texas Constitution.

(j) For purposes of Subsection (i)(1), the surplus balance of a fund or account that receives a disbursement from the fund under a bond enhancement agreement is the amount of money on deposit in the fund or account, as determined by the board, that is attributable to the general obligation bonds or revenue bonds that are the subject of the bond enhancement agreement, including money received from the sale or other disposition of the board's rights to receive repayment of financial assistance, money received from the sale, transfer, or lease of an acquired facility, money received from the sale of water associated with an acquired facility, and related investment earnings, that exceeds the amount required to pay annual debt service on the bonds and any other amounts specified in the resolution or other proceedings authorizing the bonds and any related obligations.

(k) The board shall submit each bond enhancement agreement and the record relating to the agreement to the attorney general for examination as to the validity of the agreement. If the attorney general finds that the agreement has been made in accordance with the constitution and other laws of this state, the attorney general shall approve the agreement and the comptroller shall register the agreement. If the agreement is not submitted at the same time that the bonds to which it relates are submitted, the agreement shall be treated as a public security solely for the purposes of Section 1202.004, Government Code.

(l) After a bond enhancement agreement has been approved and registered as provided by Subsection (k), the agreement is valid and is incontestable for any cause.

(m) At the direction of the board, the trust company shall make disbursements from the fund, or from a special account established by the board, in accordance with a bond enhancement agreement in the amounts the board determines are needed for debt service payments on, or for security provisions of, general obligation bonds or revenue bonds issued by the board the proceeds of the sale of which have been deposited in another fund administered by the board, or in an account in that other fund, for use in accordance with this subchapter, after the board considers all other sources available for those purposes in that other fund or account. Money transferred under this subsection may be deposited into that other fund or into a special account established by the trust company or a corporate trustee that is a trust company or a bank that has the powers of a trust company, as determined by the board.

Sec. 15.436. PRIORITIZATION OF PROJECTS BY REGIONAL WATER PLANNING GROUPS. (a) Each regional water planning group shall prioritize projects in its respective regional water plan for the purposes of Section 15.435. At a minimum, a regional water planning group must consider the following criteria in prioritizing each project:

(1) the decade in which the project will be needed;

(2) the feasibility of the project, including the availability of water rights for purposes of the project and the hydrological and scientific practicability of the project;

(3) the viability of the project, including whether the project is a comprehensive solution with a measurable outcome;

(4) the sustainability of the project, taking into consideration the life of the project; and

(5) the cost-effectiveness of the project, taking into consideration the expected unit cost of the water to be supplied by the project.

(b) In prioritizing projects, each regional water planning group shall include projects that meet long-term needs as well as projects that meet short-term needs.

(c) The board shall create a stakeholders committee composed of the presiding officer or a person designated by the presiding officer of each regional water planning group to establish uniform standards to be used by the regional water planning groups in prioritizing projects under this section. Uniform standards established under this subsection must be approved by the board. The board shall consult the stakeholders committee from time to time regarding regional prioritization of projects.

(d) Each regional water planning group shall submit to the board the prioritization developed by the group under this section together with the group's respective regional water plan developed and submitted under Section 16.053.

Sec. 15.437. PRIORITIZATION OF PROJECTS BY BOARD. (a) The board shall prioritize projects included in the state water plan for the purpose of providing financial assistance under this subchapter.

(b) The board shall establish a point system for prioritizing projects for which financial assistance is sought from the board. The system must include a standard for the board to apply in determining whether a project qualifies for financial assistance at the time the application for financial assistance is filed with the board.

(c) The board shall give the highest consideration in awarding points to projects that will have a substantial effect, including projects that will:

(1) serve a large population;

(2) provide assistance to a diverse urban and rural population;

(3) provide regionalization; or

(4) meet a high percentage of the water supply needs of the water users to be served by the project.

(d) In addition to the criteria provided by Subsection (c), the board must also consider at least the following criteria in prioritizing projects:

(1) the local contribution to be made to finance the project, including the up-front capital to be provided by the applicant;

(2) the financial capacity of the applicant to repay the financial assistance provided;

(3) the ability of the board and the applicant to timely leverage state financing with local and federal funding;

(4) whether there is an emergency need for the project, taking into consideration whether:

(A) the applicant is included at the time of the application on the list maintained by the commission of local public water systems that have a water supply that will last less than 180 days without additional rainfall; and

(B) federal funding for which the project is eligible has been used or sought;

(5) if the applicant is applying for financial assistance for the project under Subchapter Q, whether the applicant is ready to proceed with the project at the time of the application, including whether:

(A) all preliminary planning and design work associated with the project has been completed;

(B) the applicant has acquired the water rights associated with the project;

(C) the applicant has secured funding for the project from other sources; and

(D) the applicant is able to begin implementing or constructing the project;

(6) the demonstrated or projected effect of the project on water conservation, including preventing the loss of water, taking into consideration, if applicable, whether the applicant has filed a water audit with the board under Section 16.0121 that demonstrates that the applicant is accountable with regard to reducing water loss and increasing efficiency in the distribution of water; and

(7) the priority given the project by the applicable regional water planning group under Section 15.436.

Sec. 15.438. ADVISORY COMMITTEE. (a) The State Water Implementation Fund for Texas Advisory Committee is composed of the following seven members:

(1) the comptroller, or a person designated by the comptroller;

(2) three members of the senate appointed by the lieutenant governor, including:

(A) a member of the committee of the senate having primary jurisdiction over matters relating to finance; and

(B) a member of the committee of the senate having primary jurisdiction over natural resources; and

(3) three members of the house of representatives appointed by the speaker of the house of representatives, including:

(A) a member of the committee of the house of representatives having primary jurisdiction over appropriations; and

(B) a member of the committee of the house of representatives having primary jurisdiction over natural resources.

(b) The following persons shall serve as staff support for the advisory committee:

(1) the deputy executive administrator of the board who is responsible for water science and conservation or a person who holds an equivalent position at the agency, or a person designated by that person;

(2) the deputy executive administrator of the board who is responsible for water resources planning and information or a person who holds an equivalent position at the agency, or a person designated by that person; and

(3) the chief financial officer of the board, or a person who holds an equivalent position at the agency.

(c) An appointed member of the advisory committee serves at the will of the person who appointed the member.

(d) The lieutenant governor shall appoint a co-presiding officer of the advisory committee from among the members appointed by the lieutenant governor, and the speaker of the house of representatives shall appoint a co-presiding officer of the committee from among the members appointed by the speaker.

(e) The advisory committee may hold public hearings, formal meetings, or work sessions. Either co-presiding officer of the advisory committee may call a public hearing, formal meeting, or work session of the advisory committee at any time. The advisory committee may not take formal action at a public hearing, formal meeting, or work session unless a quorum of the committee is present.

(f) Except as otherwise provided by this subsection, a member of the advisory committee is not entitled to receive compensation for service on the committee or reimbursement for expenses incurred in the performance of official duties as a member of the committee. Service on the advisory committee by a member of the senate or house of representatives is considered legislative service for which the member is entitled to reimbursement and other benefits in the same manner and to the same extent as for other legislative service.

(g) The advisory committee shall submit comments and recommendations to the board regarding the use of money in the fund for use by the board in adopting rules under Section 15.439 and in adopting policies and procedures under Section 15.441. The submission must include:

(1) comments and recommendations on rulemaking related to the prioritization of projects in regional water plans and the state water plan in accordance with Sections 15.436 and 15.437;

(2) comments and recommendations on rulemaking related to establishing standards for determining whether projects meet the criteria provided by Section 15.434(b);

(3) an evaluation of the available programs for providing financing for projects included in the state water plan and guidelines for implementing those programs, including guidelines for providing financing for projects included in the state water plan that are authorized under Subchapter Q or R of this chapter, Subchapter E or F, Chapter 16, or Subchapter J, Chapter 17;

(4) an evaluation of the lending practices of the board and guidelines for lending standards;

(5) an evaluation of the use of funds by the board to provide support for financial assistance for water projects, including support for the purposes described by Section 15.435(c);

(6) an evaluation of whether premium financing programs should be established within the funds described by Section 15.435 to serve the purposes of this subchapter, especially in connection with projects described by Section 15.434(b);

(7) an evaluation of methods for encouraging participation in the procurement process by companies domiciled in this state or that employ a significant number of residents of this state; and

(8) an evaluation of the overall operation, function, and structure of the fund.

(h) The advisory committee shall review the overall operation, function, and structure of the fund at least semiannually and may provide comments and recommendations to the board on any matter.

(i) The advisory committee may adopt rules, procedures, and policies as needed to administer this section and implement its responsibilities.

(j) Chapter 2110, Government Code, does not apply to the size, composition, or duration of the advisory committee.

(k) The advisory committee is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the advisory committee is abolished and this section expires September 1, 2023.

(l) The advisory committee shall make recommendations to the board regarding information to be posted on the board's Internet website under Section 15.440(b).

(m) The advisory committee shall evaluate and may provide comments or recommendations on the feasibility of the state owning, constructing, and operating water supply projects, including reservoirs and major water supply conveyance infrastructure, through existing financial assistance programs under Subchapter E of this chapter, Subchapter E or F, Chapter 16, or other mechanisms.

(n) The executive administrator shall provide an annual report to the advisory committee on:

(1) the board's compliance with statewide annual goals relating to historically underutilized businesses; and

(2) the participation level of historically underutilized businesses in projects that receive funding related to a bond enhancement agreement under this subchapter.

(o) If the aggregate level of participation by historically underutilized businesses in projects that receive funding related to a bond enhancement agreement under this subchapter does not meet statewide annual goals adopted under Chapter 2161, Government Code, the advisory committee shall make recommendations to the board to improve the participation level.

Sec. 15.439. RULES. (a) The board shall adopt rules providing for the use of money in the fund that are consistent with this subchapter, including rules:

(1) establishing standards for determining whether projects meet the criteria provided by Section 15.434(b); and

(2) specifying the manner for prioritizing projects for purposes of Section 15.437.

(b) The board shall give full consideration to the recommendations of the advisory committee before adopting rules under this subchapter.

Sec. 15.440. REPORTING AND TRANSPARENCY REQUIREMENTS.

(a) Not later than December 1 of each even-numbered year, the board shall provide a report to the governor, lieutenant governor, speaker of the house of representatives, and members of the legislature regarding the use of the fund, including the use of the fund to support projects that are for rural political subdivisions or agricultural water conservation or that are designed for water conservation or reuse as required by Section 15.434(b).

(b) The board shall post the following information on the board's Internet website regarding the use of the fund and regularly update the information posted:

(1) the progress made in developing needed water supply statewide and for the benefit of each regional water planning area; and

(2) for each regional water planning area, a description of each project funded through bonds supported by a bond enhancement agreement entered into under Section 15.435, including:

(A) the expected date of completion of the project; and

(B) the current status of the project.

Sec. 15.441. POLICIES AND PROCEDURES TO MITIGATE OR MINIMIZE ADVERSE EFFECTS OF CERTAIN FEDERAL LAWS. The board shall adopt, and may amend from time to time at the board's discretion, policies and procedures for the purpose of mitigating or minimizing the adverse effects, if any, of federal laws and regulations relating to income taxes, arbitrage, rebates, and related matters that may restrict the board's ability to freely invest all or part of the fund or to receive and retain all the earnings from the fund.

SUBCHAPTER H. STATE WATER IMPLEMENTATION REVENUE FUND FOR TEXAS

Sec. 15.471. DEFINITION. In this subchapter, "fund" means the state water implementation revenue fund for Texas.

Sec. 15.472. FUND. (a) The state water implementation revenue fund for Texas is a special fund in the state treasury outside the general revenue fund to be used by the board, without further legislative appropriation, only for the purpose of providing financing for projects included in the state water plan that are authorized under Subchapter Q or R of this chapter, Subchapter E or F, Chapter 16, or Subchapter J, Chapter 17. The board may establish separate accounts in the fund. The board has legal title to money and investments in the fund until the money is disbursed as provided by this subchapter and board rules. It is the intent of the legislature that the fund will never be used:

(1) for a purpose other than the support of projects in the state water plan; or

(2) to certify that appropriations from the treasury are within the amount estimated to be available in a fund of the treasury affected by the appropriation.

(b) Money deposited to the credit of the fund may be used only as provided by this subchapter.

(c) The fund consists of:

(1) money transferred or deposited to the credit of the fund by law, including money from any source transferred or deposited to the credit of the fund at the board's discretion as authorized by law;

(2) the proceeds of any fee or tax imposed by this state that by statute is dedicated for deposit to the credit of the fund;

(3) any other revenue that the legislature by statute dedicates for deposit to the credit of the fund;

(4) investment earnings and interest earned on amounts credited to the fund;

(5) the proceeds from the sale of bonds, including revenue bonds issued by the board under this subchapter, that are designated by the board for the purpose of providing money for the fund;

(6) repayments of loans made from the fund;

(7) money from the sale, transfer, or lease of a project acquired, constructed, reconstructed, developed, or enlarged with money from the fund; and

(8) money disbursed to the fund from the state water implementation fund for Texas as authorized by Section 15.434.

Sec. 15.473. MANAGEMENT AND INVESTMENT OF FUND. (a) Money deposited to the credit of the fund shall be invested as determined by the board. The fund may be invested with the state treasury pool.

(b) The fund and any accounts established in the fund shall be kept and maintained by or at the direction of the board.

(c) At the direction of the board, the fund and any accounts established in the fund may be managed by the comptroller or a corporate trustee that is a trust company or a bank that has the powers of a trust company for and on behalf of the board and pending their use for the purposes provided by this subchapter may be invested as provided by an order, resolution, or rule of the board.

(d) The comptroller or corporate trustee shall manage the fund in strict accordance with this subchapter and the orders, resolutions, and rules of the board.

Sec. 15.474. USE OF FUND. (a) Except as provided by Subsection (c), money in the fund may be used by the board only to provide financing or refinancing, under terms specified by the board, for projects included in the state water plan that are authorized under Subchapter Q or R of this chapter, Subchapter E or F, Chapter 16, or Subchapter J, Chapter 17, including water conservation or reuse projects designed to reduce the need for this state or political subdivisions of this state to develop additional water resources.

(b) Financing or refinancing of projects described by Subsection (a) may be provided by using money in the fund to make loans to eligible political subdivisions or to purchase bonds or other obligations of eligible political subdivisions bearing interest at a rate or rates determined by the board, including a rate or rates below prevailing market rates.

(c) The board may use money in the fund:

(1) as a source of revenue or security for:

(A) the payment of the principal of and interest on:

(i) revenue bonds issued by the board under this subchapter; or

(ii) other bonds issued by the board if the proceeds of the

bonds will be deposited in the fund; or

(B) a bond enhancement agreement;

(2) to acquire loans or other assets from another fund or account administered by the board, including political subdivision bonds sold or disposed of under Section 15.978 or 17.968; or

(3) to pay the necessary and reasonable expenses of paying agents, bond counsel, and financial advisory services and similar costs incurred by the board in administering the fund.

(d) The board, or comptroller or corporate trustee managing the fund at the direction of the board as provided by Section 15.473(c), shall withdraw from the fund and forward to another person any amounts, as determined by the board, for timely payment of:

(1) the principal of and interest on bonds described by Subsection (c)(1)(A) of this section that mature or become due; and

(2) any cost related to bonds described by Subsection (c)(1)(A) of this section that become due, including payments under related credit agreements or bond enhancement agreements.

Sec. 15.475. ISSUANCE OF REVENUE BONDS. (a) The board may issue revenue bonds for the purpose of providing money for the fund.

(b) The board may issue revenue bonds to refund revenue bonds or bonds and obligations issued or incurred in accordance with other provisions of law.

(c) Revenue bonds issued under this subchapter are special obligations of the board payable only from and secured by designated income and receipts of the fund, or of one or more accounts in the fund, including principal of and interest paid and to be paid on fund assets or income from accounts created within the fund by the board, as determined by the board.

(d) Revenue bonds issued under this subchapter do not constitute indebtedness of the state as prohibited by the constitution.

(e) The board may require fund participants to make charges, levy taxes, or otherwise provide for sufficient money to pay acquired obligations.

(f) Revenue bonds issued under this subchapter must be authorized by resolution of the board and must have the form and characteristics and bear the designations as the resolution provides.

(g) Revenue bonds issued under this subchapter may:

(1) bear interest at the rate or rates payable annually or otherwise;

(2) be dated;

(3) mature at the time or times, serially, as term revenue bonds, or otherwise in not more than 50 years from their dates;

(4) be callable before stated maturity on the terms and at the prices, be in the denominations, be in the form, either coupon or registered, carry registration privileges as to principal only or as to both principal and interest and as to successive exchange of coupon for registered bonds or one denomination

for bonds of other denominations, and successive exchange of registered revenue bonds for coupon revenue bonds, be executed in the manner, and be payable at the place or places inside or outside the state, as provided by the resolution;

(5) be issued in temporary or permanent form;

(6) be issued in one or more installments and from time to time as required and sold at a price or prices and under terms determined by the board to be the most advantageous reasonably obtainable; and

(7) be issued on a parity with and be secured in the manner as other revenue bonds authorized to be issued by this subchapter or may be issued without parity and secured differently than other revenue bonds.

(h) Section 17.955 applies to revenue bonds issued under this subchapter in the same manner as that section applies to water financial assistance bonds.

(i) All proceedings relating to the issuance of revenue bonds issued under this subchapter shall be submitted to the attorney general for examination. If the attorney general finds that the revenue bonds have been authorized in accordance with law, the attorney general shall approve the revenue bonds, and the revenue bonds shall be registered by the comptroller. After the approval and registration, the revenue bonds are incontestable in any court or other forum for any reason and are valid and binding obligations in accordance with their terms for all purposes.

(j) The proceeds received from the sale of revenue bonds issued under this subchapter may be deposited or invested in any manner and in such investments as may be specified in the resolution or other proceedings authorizing those obligations. Money in the fund or accounts created by this subchapter or created in the resolution or other proceedings authorizing the revenue bonds may be invested in any manner and in any obligations as may be specified in the resolution or other proceedings.

Sec. 15.476. SUBCHAPTER CUMULATIVE OF OTHER LAWS. (a) This subchapter is cumulative of other laws on the subject, and the board may use provisions of other applicable laws in the issuance of bonds and other obligations and the execution of bond enhancement agreements, but this subchapter is wholly sufficient authority for the issuance of bonds and other obligations, the execution of bond enhancement agreements, and the performance of all other acts and procedures authorized by this subchapter.

(b) In addition to other authority granted by this subchapter, the board may exercise the authority granted to the governing body of an issuer with regard to the issuance of obligations under Chapter 1371, Government Code.

SECTION 2.03. Section 15.973(b), Water Code, is amended to read as follows:

(b) The fund consists of:

- (1) appropriations from the legislature;
- (2) any other fees or sources of revenue that the legislature may dedicate for deposit to the fund;
- (3) repayments of loans made from the fund;
- (4) interest earned on money credited to the fund;
- (5) depository interest allocable to the fund;

- (6) money from gifts, grants, or donations to the fund;
- (7) money from revenue bonds or other sources designated by the board; ~~and~~
- (8) proceeds from the sale of political subdivision bonds or obligations held in the fund and not otherwise pledged to the discharge, repayment, or redemption of revenue bonds or other bonds, the proceeds of which were placed in the fund; and
- (9) money disbursed to the fund from the state water implementation fund for Texas as authorized by Section 15.434.

SECTION 2.04. Section 15.974, Water Code, is amended by adding Subsection (b) to read as follows:

(b) The board shall transfer back to the state water implementation fund for Texas any money disbursed to the fund as described by Section 15.973(b)(9) if the requirements of Section 15.435 are satisfied.

SECTION 2.05. Section 15.978(c), Water Code, is amended to read as follows:

(c) Notwithstanding other provisions of this chapter, the board may sell to the Texas Water Resources Finance Authority or to the state water implementation revenue fund for Texas any political subdivision bonds purchased with money in the water infrastructure fund and may apply the proceeds of a sale in the manner provided by this section.

SECTION 2.06. Section 15.993, Water Code, is amended to read as follows:

Sec. 15.993. FUND. The rural water assistance fund is a special fund in the state treasury. The fund consists of:

- (1) money directly appropriated to the board for a purpose of the fund;
- (2) repayment of principal and interest from loans made from the fund not otherwise needed as a source of revenue pursuant to Section 17.9615(b);
- (3) money transferred by the board from any sources available;
- (4) interest earned on the investment of money in the fund and depository interest allocable to the fund;
- (5) money transferred to the fund from the water assistance fund in accordance with Section 15.011(b), including proceeds from the sale of political subdivision bonds by the board to the Texas Water Resources Finance Authority that are deposited in the water assistance fund as provided by Section 17.0871;
- (6) money from gifts, grants, or donations to the fund;
- (7) money disbursed to the fund from the state water implementation fund for Texas as authorized by Section 15.434; and
- (8) ~~(7)~~ any other fees or sources of revenue that the legislature may dedicate for deposit to the fund.

SECTION 2.07. Section 15.994, Water Code, is amended by adding Subsection (i) to read as follows:

(i) The board shall transfer back to the state water implementation fund for Texas any money disbursed to the fund as described by Section 15.993(7) if the requirements of Section 15.435 are satisfied.

SECTION 2.08. Section 17.183, Water Code, is amended to read as follows:

Sec. 17.183. CONSTRUCTION CONTRACT REQUIREMENTS. (a) The governing body of each political subdivision receiving financial assistance from the board shall require in all contracts for the construction of a project:

(1) that each bidder furnish a bid guarantee equivalent to five percent of the bid price;

(2) that each contractor awarded a construction contract furnish performance and payment bonds:

(A) the performance bond shall include without limitation guarantees that work done under the contract will be completed and performed according to approved plans and specifications and in accordance with sound construction principles and practices; and

(B) the performance and payment bonds shall be in a penal sum of not less than 100 percent of the contract price and remain in effect for one year beyond the date of approval by the engineer of the political subdivision; ~~and~~

(3) that payment be made in partial payments as the work progresses;

(4) that each partial payment shall not exceed 95 percent of the amount due at the time of the payment as shown by the engineer of the project, but, if the project is substantially complete, a partial release of the five percent retainage may be made by the political subdivision with approval of the executive administrator;

(5) that payment of the retainage remaining due upon completion of the contract shall be made only after:

(A) approval by the engineer for the political subdivision as required under the bond proceedings;

(B) approval by the governing body of the political subdivision by a resolution or other formal action; and

(C) certification by the executive administrator in accordance with the rules of the board that the work to be done under the contract has been completed and performed in a satisfactory manner and in accordance with approved plans and specifications ~~[sound engineering principles and practices]~~;

(6) that no valid approval may be granted unless the work done under the contract has been completed and performed in a satisfactory manner according to approved plans and specifications; ~~and~~

(7) that, if a political subdivision receiving financial assistance under Subchapter K of this chapter, labor from inside the political subdivision be used to the extent possible; and

(8) that the contract include a requirement that iron and steel products and manufactured goods used in the project be produced in the United States, unless:

(A) such products or goods are not:

(i) available in sufficient quantities;

(ii) readily available; or

(iii) of a satisfactory quality; or

(B) the use of such products or goods will increase the total cost of the project by more than 20 percent.

(b) Plans and specifications submitted to the board in connection with an application for financial assistance must include a seal by a licensed engineer affirming that the plans and specifications are consistent with and conform to current industry design and construction standards.

(c) For the purposes of Subsections (a)(8) and (d):

(1) "Component" means any article, material, or supply, whether a manufactured good or raw material, that is directly incorporated into a manufactured good.

(2) "Manufactured good" means an item produced as the result of a manufacturing process.

(3) "Manufacturing process" means the application of a process to alter the form or function of materials or elements of a product in a manner that adds value and transforms the materials or elements so that a new end product is produced that is functionally different from the product that would result from simple assembly of the materials or elements.

(4) "Produced in the United States" means:

(A) in the case of iron and steel products, products for which all manufacturing processes, from initial melting through application of coatings, take place in the United States, except metallurgical processes that involve the refinement of steel additives; and

(B) in the case of a manufactured good, a good for which:

(i) all of the manufacturing process that produced the manufactured good takes place in the United States; and

(ii) more than 60 percent of the components of the manufactured good, by cost, originate in the United States.

(d) For the purposes of Subsection (c)(4)(B)(ii), if a component originates in the United States, the entire cost of that component contributes to the determination of the percentage of the components of the manufactured good that originate in the United States.

(e) This section shall be applied in a manner consistent with this state's obligations under any international agreement.

SECTION 2.09. Section 17.185(a), Water Code, is amended to read as follows:

(a) The board may inspect the construction of a project at any time to assure that[±

[~~(1)~~] the contractor is substantially complying with the approved engineering plans and specifications of the project[±and

[~~(2) the contractor is constructing the project in accordance with sound engineering principles].~~

SECTION 2.10. Section 17.187, Water Code, is amended to read as follows:

Sec. 17.187. CERTIFICATE OF APPROVAL. The executive administrator may consider the following as grounds for refusal to give a certificate of approval for any construction contract:

(1) failure to construct the project according to approved plans and specifications; or

(2) ~~[failure to construct the works in accordance with sound engineering principles; or~~

~~[(3)] failure to comply with any term of the contract.~~

SECTION 2.11. Section 17.276(c), Water Code, is amended to read as follows:

(c) The board has the sole responsibility and authority for selecting the political subdivisions to whom financial assistance may be provided for treatment works and the amount of any such assistance. ~~[In consultation with and pursuant to agreement with the political subdivision, except as provided by Subsection (d) of this section, the board shall determine the location, time, design, scope, and all other aspects of the construction of a sewerage system for which financial assistance is provided.]~~

SECTION 2.12. Section 17.775(c), Water Code, is amended to read as follows:

(c) The board has the sole responsibility and authority for selecting the political subdivisions to whom financial assistance may be provided and ~~[(5)]~~ the amount of any such assistance~~[, and in consultation with and pursuant to agreement with the political subdivision, the board shall determine the location, time, design, scope, and all other aspects of the construction to be performed].~~

SECTION 2.13. Section 17.853(c), Water Code, is amended to read as follows:

(c) The board may use the fund only:

(1) to provide state matching funds for federal funds provided to the state water pollution control revolving fund or to any additional state revolving fund created under Subchapter J, Chapter 15;

(2) to provide financial assistance from the proceeds of taxable bond issues to water supply corporations organized under Chapter 67, and other participants;

(3) to provide financial assistance to participants for the construction of water supply projects and treatment works;

(4) to provide financial assistance for an interim construction period to participants for projects for which the board will provide long-term financing through the water development fund;

(5) to provide financial assistance for water supply and sewer service projects in economically distressed areas as provided by Subchapter K, Chapter 17, to the extent the board can make that assistance without adversely affecting the current or future integrity of the fund or of any other financial assistance program of the board; ~~and~~

(6) to provide funds to the water infrastructure fund created under Section 15.973; and

(7) to provide funds to the state water implementation revenue fund for Texas.

SECTION 2.14. Section 17.895, Water Code, is amended to read as follows:

Sec. 17.895. SOURCES OF ASSETS. The fund is composed of:

- (1) money and assets, including bond proceeds, attributable to the bonds;
- (2) investment income earned on money on deposit in the fund and depository interest earned on money on deposit in the state treasury;
- (3) money appropriated by the legislature;
- (4) repayments of principal and interest on loans made under this subchapter;
- (5) administrative fees charged by the board under the bond program;
- (6) money disbursed to the fund from the state water implementation fund for Texas as authorized by Section 15.434; and
- (7) ~~(6)~~ any other funds, regardless of their source, that the board directs be deposited to the credit of the fund.

SECTION 2.15. Section 17.899, Water Code, is amended by adding Subsection (c) to read as follows:

(c) The board shall transfer back to the state water implementation fund for Texas any money disbursed to the fund as described by Section 17.895(6) if the requirements of Section 15.435 are satisfied.

SECTION 2.16. Section 17.957, Water Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) The state participation account is composed of:

- (1) money and assets attributable to water financial assistance bonds designated by the board as issued for projects described in Section 16.131;
- (2) money from the sale, transfer, or lease of a project described in Subdivision (1) that was acquired, constructed, reconstructed, developed, or enlarged with money from the state participation account;
- (3) payments received under a bond enhancement agreement with respect to water financial assistance bonds designated by the board as issued for projects described in Section 16.131;
- (4) investment income earned on money on deposit in the state participation account;

(5) money disbursed to the fund from the state water implementation fund for Texas as authorized by Section 15.434; and

(6) ~~(5)~~ any other funds, regardless of their source, that the board directs be deposited to the credit of the state participation account.

(d) The board shall transfer back to the state water implementation fund for Texas any money disbursed to the fund as described by Subsection (b)(5) of this section if the requirements of Section 15.435 are satisfied.

SECTION 2.17. Subchapter L, Chapter 17, Water Code, is amended by adding Section 17.9617 to read as follows:

Sec. 17.9617. TRANSFERS TO STATE WATER IMPLEMENTATION REVENUE FUND FOR TEXAS. (a) The board may direct the comptroller to transfer money or other assets from an account in the fund, including from the financial assistance account or from the state participation account, to the state water implementation revenue fund for Texas to provide financial assistance under this subchapter and Subchapter H, Chapter 15.

(b) A transfer of money or other assets from an account in the fund may not cause general obligation bonds that are payable from the fund or from an account in the fund to no longer be self-supporting for purposes of Section 49-j(b), Article III, Texas Constitution, as determined by the board.

(c) The board shall use the state water implementation revenue fund for Texas, or an account in that fund, as a source of revenue to be deposited in accordance with this subchapter for the payment of principal and interest on water financial assistance bonds issued by the board, the proceeds of which are to be deposited into the state water implementation revenue fund for Texas, or the account in that fund, and to be used to make payments under a bond enhancement agreement with respect to principal or interest on the water financial assistance bonds.

SECTION 2.18. Section 17.968, Water Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The board may sell or dispose of political subdivision bonds or other assets purchased with money in the fund to any person, including the Texas Water Resources Finance Authority, or to another fund administered by the board, including the state water implementation revenue fund for Texas, and the board, in such manner as it shall determine, may apply the proceeds of the sale of political subdivision bonds or other assets held by the board to:

(1) pay debt service on water financial assistance bonds issued under this subchapter; or

(2) provide financial assistance to political subdivisions for any one or more of the purposes authorized by Section 49-d-8, Article III, Texas Constitution.

(a-1) A sale or disposition of political subdivision bonds or other assets may not cause general obligation bonds that are payable from the fund or from an account in the fund to no longer be self-supporting for purposes of Section 49-j(b), Article III, Texas Constitution, as determined by the board.

SECTION 2.19. Section 49.153(e), Water Code, is amended to read as follows:

(e) Subsection (c) does not apply to:

(1) a note issued to and approved by ~~the~~:

(A) the Farmers Home Administration;

(B) the United States Department of Agriculture;

(C) the Texas Water Development Board; ~~or~~

(D) the North American Development Bank; or

(E) a federally chartered instrumentality of the United States authorized under 12 U.S.C. Section 2128(f) to provide financing for water and waste disposal facilities, provided that the district that executes the note is located wholly in a county that:

(i) does not contain a municipality that has a population of more than 750,000; and

(ii) is not adjacent to a county described by Subparagraph (i);

or

(2) a district described by Section 49.181(h).

SECTION 2.20. Section 49.181(a), Water Code, is amended to read as follows:

(a) A district may not issue bonds unless the commission determines that the project to be financed by the bonds is feasible and issues an order approving the issuance of the bonds. This section does not apply to:

(1) refunding bonds if the commission issued an order approving the issuance of the bonds or notes that originally financed the project;

(2) refunding bonds that are issued by a district under an agreement between the district and a municipality allowing the issuance of the district's bonds to refund bonds issued by the municipality to pay the cost of financing facilities;

(3) bonds issued to and approved by:

(A) the Farmers Home Administration;

(B) [5] the United States Department of Agriculture;

(C) [5] the North American Development Bank;

(D) [5 or] the Texas Water Development Board; or

(E) a federally chartered instrumentality of the United States authorized under 12 U.S.C. Section 2128(f) to finance such a project, provided that the district that issues the bonds is located wholly in a county that:

(i) does not contain a municipality that has a population of more than 750,000; and

(ii) is not adjacent to a county described by Subparagraph (i);

(4) refunding bonds issued to refund bonds described by Subdivision (3); or

(5) bonds issued by a public utility agency created under Chapter 572, Local Government Code, any of the public entities participating in which are districts if at least one of those districts is a district described by Subsection (h)(1)(E).

SECTION 2.21. As soon as practicable after the effective date of this Act, the lieutenant governor and the speaker of the house of representatives shall appoint the initial appointive members of the State Water Implementation Fund for Texas Advisory Committee as provided by Section 15.438, Water Code, as added by this Act.

SECTION 2.22. (a) Not later than September 1, 2014, the State Water Implementation Fund for Texas Advisory Committee shall submit recommendations to the Texas Water Development Board on the rules to be adopted by the board under Sections 15.439(a)(1) and (2), Water Code, as added by this Act.

(b) Not later than the later of the 90th day after the date the Texas Water Development Board receives the recommendations described by Subsection (a) of this section or March 1, 2015, the board shall adopt rules under Section 15.439, Water Code, as added by this Act.

SECTION 2.23. As soon as practicable after the effective date of this Act, the Texas Water Development Board shall create a stakeholders committee under Section 15.436(c), Water Code, as added by this Act.

SECTION 2.24. Not later than December 1, 2013, the stakeholders committee created by the Texas Water Development Board under Section 15.436(c), Water Code, as added by this Act, shall submit the standards established by the committee under that subsection to the board.

SECTION 2.25. (a) Each regional water planning group shall prepare a draft prioritization of the projects included in the regional water plan most recently adopted by the group in accordance with Section 15.436, Water Code, as added by this Act, and submit the draft prioritization of the projects to the Texas Water Development Board not later than June 1, 2014. The board shall provide comments to each regional water planning group on the draft prioritization submitted by the group. Each regional water planning group shall submit a final prioritization of the projects to the board not later than September 1, 2014.

(b) Section 15.436(d), Water Code, as added by this Act, applies to a regional water plan beginning with the plan that is required to be submitted to the Texas Water Development Board by January 5, 2016.

SECTION 2.26. The Texas Water Development Board shall post the information described by Section 15.440(b), Water Code, as added by this Act, on the board's Internet website not later than March 1, 2014.

SECTION 2.27. Sections 2.01-2.07, 2.13-2.18, and 2.21-2.26 of this article take effect on the date on which the constitutional amendment proposed by the 83rd Legislature, Regular Session, 2013, adding Sections 49-d-12 and 49-d-13, Article III, Texas Constitution, creating the state water implementation fund for Texas and the state water implementation revenue fund for Texas takes effect. If that amendment is not approved by the voters, those sections of this article have no effect.

ARTICLE 3. EFFECTIVE DATE

SECTION 3.01. Except as otherwise provided by this Act, this Act takes effect September 1, 2013.

HB 4 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE TAYLOR: I want to make sure for legislative intent that we can outline—so, the intent of this fund is for it to go on in perpetuity, is that correct?

REPRESENTATIVE RITTER: Basically, it could. It could go on until the legislature wants to stop it.

TAYLOR: Okay, but the idea is that it would be lent with the—money would be lent from the fund with the expectation that the principal would be returned? Is that correct?

RITTER: That's correct. It's a revolving—back to the SWIFT. Yes, sir.

TAYLOR: Okay, it's a revolving fund. The intention is that the money goes out—the principal goes out—and the principal comes back?

RITTER: That's correct.

TAYLOR: Okay. That's extremely important. I'm glad that you stated that.

REMARKS ORDERED PRINTED

Representative Taylor moved to print remarks between Representative Ritter and Representative Taylor.

The motion prevailed.

Representative Ritter moved to adopt the conference committee report on **HB 4**.

The motion to adopt the conference committee report on **HB 4** prevailed by (Record 942): 141 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; 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; Giddings; 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; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Klick; Simpson; Stickland; Taylor.

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

Absent, Excused — Turner, E.S.

Absent — Cortez; Pitts.

STATEMENT OF VOTE

When Record No. 942 was taken, my vote failed to register. I would have voted yes.

Cortez

**HB 1296 - HOUSE CONCURS IN SENATE AMENDMENTS
TEXT OF SENATE AMENDMENTS**

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

HB 1296, A bill to be entitled An Act relating to information regarding postsecondary education and career opportunities and workforce needs in this state.

Representative Alvarado moved to concur in the senate amendments to **HB 1296**.

The motion to concur in the senate amendments to **HB 1296** prevailed by (Record 943): 144 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; 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; Giddings; 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; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Bonnen, D.(C); Simmons.

Absent, Excused — Turner, E.S.

Absent — Cortez; Raymond.

STATEMENT OF VOTE

I was shown voting present, not voting on Record No. 943. I intended to vote yes.

Simmons

Senate Committee Substitute

CSHB 1296, A bill to be entitled An Act relating to information regarding postsecondary education and career opportunities and workforce needs in this state.

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

SECTION 1. Subchapter B, Chapter 7, Education Code, is amended by adding Section 7.040 to read as follows:

Sec. 7.040. POSTSECONDARY EDUCATION AND CAREER OPPORTUNITIES. (a) The agency shall prepare information comparing institutions of higher education in this state and post the information on the agency's Internet website. Information prepared under this section shall be given to a public school student who requests the information. The information shall:

(1) identify postsecondary education and career opportunities, including information that states the benefits of four-year and two-year higher education programs, postsecondary technical education, skilled workforce careers, and career education programs;

(2) compare each institution of higher education with other institutions regarding:

(A) the relative cost of tuition;

(B) the retention rate of students;

(C) the graduation rate of students;

(D) the average student debt;

(E) the loan repayment rate of students; and

(F) the employment rate of students;

(3) identify the state's future workforce needs, as projected by the Texas Workforce Commission; and

(4) include annual wage information for the top 10 highest demand jobs in this state, as identified by the Texas Workforce Commission.

(b) The agency shall collaborate with the Texas Higher Education Coordinating Board and the Texas Workforce Commission to obtain the information required under Subsection (a). The agency shall incorporate the use of existing materials and develop new materials to be provided to counselors, students, and parents regarding institutions of higher education.

(c) Each institution of higher education shall include on its Internet website, in a prominent location that is not more than three hyperlinks from the website's home page, a link to the information posted on the agency's Internet website under Subsection (a).

SECTION 2. Subchapter C, Chapter 61, Education Code, is amended by adding Section 61.0907 to read as follows:

Sec. 61.0907. REPORT PROJECTING WORKFORCE NEEDS. (a) The board, in conjunction with the Texas Workforce Commission and in consultation with any other state agency as requested by the board or the commission, shall collect relevant information and make five-year projections concerning:

(1) the workforce needs of this state; and

(2) the educational attainment and training of persons projected to enter the state workforce.

(b) Based on the projections made under Subsection (a), the board shall identify the types and levels of education, training, and skills that are needed to meet the state's future workforce needs and shall make recommendations concerning the expansion of existing programs or the development of new programs at public and private postsecondary educational institutions in this state as necessary to meet the projected workforce needs.

(c) A postsecondary educational institution may use the recommendations made under Subsection (b) in planning for degree programs, coursework offerings, and training programs.

(d) Not later than February 1, 2015, the board shall prepare and submit electronically to each standing legislative committee with primary jurisdiction over higher education or workforce development, each public and private

postsecondary educational institution in this state, and the Texas Education Agency a report of the information collected and analyzed under this section, including recommendations of the board for programming at postsecondary educational institutions. The board may provide subsequent updates to the report as the board considers necessary.

(e) This section expires August 31, 2017.

SECTION 3. 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.

HB 1227 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 1227, A bill to be entitled An Act relating to the use of an Internet application to allow access by court-appointed volunteer advocates to child protective services case information.

Representative Dukes moved to concur in the senate amendments to **HB 1227**.

The motion to concur in the senate amendments to **HB 1227** prevailed by (Record 944): 144 Yeas, 1 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Craddick; Creighton; Crownover; Dale; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Stephenson.

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

Absent, Excused — Turner, E.S.

Absent — Cortez; Darby.

Senate Committee Substitute

CSHB 1227, A bill to be entitled An Act relating to the use of an Internet application to allow access by court-appointed volunteer advocates to child protective services case information.

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

SECTION 1. Subchapter G, Chapter 264, Family Code, is amended by adding Section 264.614 to read as follows:

Sec. 264.614. INTERNET APPLICATION FOR CASE TRACKING AND INFORMATION MANAGEMENT SYSTEM. (a) Subject to the availability of money as described by Subsection (c), the department shall develop an Internet application that allows a court-appointed volunteer advocate representing a child in the managing conservatorship of the department to access the child's case file through the department's automated case tracking and information management system and to add the volunteer advocate's findings and reports to the child's case file.

(b) The court-appointed volunteer advocate shall maintain the confidentiality required by this chapter and department rule for the information accessed by the advocate through the system described by Subsection (a).

(c) The department may use money appropriated to the department and money received as a gift, grant, or donation to pay for the costs of developing and maintaining the Internet application required by Subsection (a). The department may solicit and accept gifts, grants, and donations of any kind and from any source for purposes of this section.

(d) The executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement this section.

SECTION 2. (a) As soon as practicable after the effective date of this Act, the Department of Family and Protective Services shall solicit money, if necessary, and develop the Internet application as required by Section 264.614, Family Code, as added by this Act.

(b) As soon as practicable after the effective date of this Act, the executive commissioner of the Health and Human Services Commission shall adopt rules necessary to implement Section 264.614, Family Code, as added by this Act.

SECTION 3. This Act takes effect September 1, 2013.

HB 139 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 139, A bill to be entitled An Act relating to the exercise of urban renewal powers by certain counties.

Representative Raymond moved to concur in the senate amendments to **HB 139**.

The motion to concur in the senate amendments to **HB 139** prevailed by (Record 945): 138 Yeas, 6 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Burnam; 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; Frank; Frullo; Geren; Giddings; 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.; 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; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Phillips; Schaefer; Simpson; Stickland; Taylor; White.

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

Absent, Excused — Turner, E.S.

Absent — Coleman; King, T.; Sanford.

STATEMENTS OF VOTE

When Record No. 945 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

I was shown voting yes on Record No. 945. I intended to vote no.

Workman

Senate Committee Substitute

CSHB 139, A bill to be entitled An Act relating to the exercise of urban renewal powers by certain counties.

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

SECTION 1. Section 374.902(b), Local Government Code, is amended to read as follows:

(b) A county with a population of more than 250,000 and located along an international border or a county with a population of more than 1.3 million may exercise the powers provided for municipalities under this chapter with respect to areas of the county that are not within the corporate boundaries of a municipality. A county with a population of more than 250,000 and located along an international border may exercise the powers provided for municipalities under this chapter with respect to areas of the county located within the corporate boundaries of a municipality, if the municipality approves the county's participation in an urban renewal project through an interlocal agreement under

Chapter 791, Government Code. The county may not exercise those powers until the commissioners court of the county adopts a resolution in the manner provided by Section 374.011 for adoption of a resolution by a municipality. The resolution must be approved at an election held in the county in the manner provided for a municipal election under Section 374.011. The adoption of the resolution is not approved unless a majority of the voters who vote on the question in the entire county as well as in each municipality in the county approve the adoption of the resolution. In a municipality that is only partially located in the affected county, only voters who reside in the county may vote.

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.

HB 2392 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 2392, A bill to be entitled An Act relating to the mental health program for veterans.

Representative Menéndez moved to concur in the senate amendments to **HB 2392**.

The motion to concur in the senate amendments to **HB 2392** prevailed by (Record 946): 144 Yeas, 1 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; 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; Giddings; 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; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Schaefer.

Present, not voting — Mr. Speaker; Bonnen, D.(C); Springer; Stephenson.

Absent, Excused — Turner, E.S.

Senate Committee Substitute

CSHB 2392, A bill to be entitled An Act relating to the mental health program for veterans.

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

SECTION 1. Section 1001.071, Health and Safety Code, is amended to read as follows:

Sec. 1001.071. GENERAL POWERS AND DUTIES OF DEPARTMENT RELATED TO HEALTH CARE. The department is responsible for administering human services programs regarding the public health, including:

- (1) implementing the state's public health care delivery programs under the authority of the department;
- (2) administering state health facilities, hospitals, and health care systems;
- (3) developing and providing health care services, as directed by law;
- (4) providing for the prevention and control of communicable diseases;
- (5) providing public education on health-related matters, as directed by law;
- (6) compiling and reporting health-related information, as directed by law;
- (7) acting as the lead agency for implementation of state policies regarding the human immunodeficiency virus and acquired immunodeficiency syndrome and administering programs related to the human immunodeficiency virus and acquired immunodeficiency syndrome;
- (8) investigating the causes of injuries and methods of prevention;
- (9) administering a grant program to provide appropriated money to counties, municipalities, public health districts, and other political subdivisions for their use to provide or pay for essential public health services;
- (10) administering the registration of vital statistics;
- (11) licensing, inspecting, and enforcing regulations regarding health facilities, other than long-term care facilities regulated by the Department of Aging and Disability Services;
- (12) implementing established standards and procedures for the management and control of sanitation and for health protection measures;
- (13) enforcing regulations regarding radioactive materials;
- (14) enforcing regulations regarding food, bottled and vended drinking water, drugs, cosmetics, and health devices;
- (15) enforcing regulations regarding food service establishments, retail food stores, mobile food units, and roadside food vendors; ~~and~~
- (16) enforcing regulations controlling hazardous substances in households and workplaces; ~~and~~
- (17) implementing a mental health program for veterans.

SECTION 2. Chapter 1001, Health and Safety Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. MENTAL HEALTH PROGRAM FOR VETERANS

Sec. 1001.201. DEFINITIONS. In this subchapter:

(1) "Peer" means a person who is a veteran or a veteran's family member.

(2) "Veteran" means a person who has served in:

(A) the army, navy, air force, coast guard, or marine corps of the United States;

(B) the state military forces as defined by Section 431.001, Government Code; or

(C) an auxiliary service of one of those branches of the armed forces.

(3) "Volunteer coordinator" means a person who recruits and retains veterans, peers, and volunteers to participate in the mental health program for veterans and related activities.

Sec. 1001.202. GENERAL POWERS AND DUTIES. (a) The department shall develop a mental health intervention program for veterans. The program must include:

(1) peer-to-peer counseling;

(2) access to licensed mental health professionals for volunteer coordinators and peers;

(3) training approved by the department for peers;

(4) technical assistance for volunteer coordinators and peers;

(5) grants to regional and local organizations providing services under this subchapter;

(6) recruitment, retention, and screening of community-based therapists;

(7) suicide prevention training for volunteer coordinators and peers;
and

(8) veteran jail diversion services, including veterans courts.

(b) The department shall solicit and ensure that specialized training is provided to persons who are peers and who want to provide peer-to-peer counseling or other peer-to-peer services under the program.

(c) The department may adopt rules necessary to implement this subchapter.

Sec. 1001.203. GRANTS. (a) The department shall establish a grant program through which the department may award grants to regional and local organizations for the delivery of programs or services described by this subchapter.

(b) A grant awarded under this section must:

(1) emphasize direct services to veterans provided by peers;

(2) leverage additional local resources to provide funding for programs or services for veterans; and

(3) increase the capacity of the mental health program for veterans.

(c) A grant awarded under this section may not be used to supplant existing expenditures associated with programs or services within the department.

Sec. 1001.204. ANNUAL REPORT. Not later than December 1 of each year, the department shall submit a report to the governor and the legislature that includes:

(1) the number of veterans who received services through the mental health program for veterans;

(2) the number of peers and volunteer coordinators trained;

(3) a summary of the grants awarded and services provided through those grants;

(4) an evaluation of the services provided under this subchapter; and

(5) recommendations for program improvements.

SECTION 3. Section 1001.076, Health and Safety Code, is repealed.

SECTION 4. Not later than January 1, 2014, the Department of State Health Services shall modify the mental health intervention program for veterans as required by Subchapter H, Chapter 1001, Health and Safety Code, as added by this Act.

SECTION 5. This Act takes effect September 1, 2013.

HB 1554 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

Representative J. Rodriguez called up with senate amendments for consideration at this time,

HB 1554, A bill to be entitled An Act relating to the authority of a municipality to file a lien for the costs of abatement of a floodplain ordinance violation; providing a civil penalty.

Representative J. Rodriguez moved to concur in the senate amendments to **HB 1554**.

The motion to concur in the senate amendments to **HB 1554** prevailed by (Record 947): 133 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bohac; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Geren; Giddings; 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, 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; Otto; Paddie; Parker; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson; Bell; Flynn; King, P.; Orr; Schaefer; Simpson; Stephenson; Stickland; Zedler.

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

Absent, Excused — Turner, E.S.

Absent — Cook; Elkins; Phillips; Ritter.

STATEMENT OF VOTE

When Record No. 947 was taken, I was in the house but away from my desk. I would have voted no.

Phillips

Senate Committee Substitute

CSHB 1554, A bill to be entitled An Act relating to the authority of municipalities to file a lien for the costs of abatement of a floodplain ordinance violation; providing a civil penalty.

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

SECTION 1. Section 54.012, Local Government Code, is amended to read as follows:

Sec. 54.012. CIVIL ACTION. A municipality may bring a civil action for the enforcement of an ordinance:

(1) for the preservation of public safety, relating to the materials or methods used to construct a building or other structure or improvement, including the foundation, structural elements, electrical wiring or apparatus, plumbing and fixtures, entrances, or exits;

(2) relating to the preservation of public health or to the fire safety of a building or other structure or improvement, including provisions relating to materials, types of construction or design, interior configuration, illumination, warning devices, sprinklers or other fire suppression devices, availability of water supply for extinguishing fires, or location, design, or width of entrances or exits;

(3) for zoning that provides for the use of land or classifies a parcel of land according to the municipality's district classification scheme;

(4) establishing criteria for land subdivision or construction of buildings, including provisions relating to street width and design, lot size, building width or elevation, setback requirements, or utility service specifications or requirements;

(5) implementing civil penalties under this subchapter for conduct classified by statute as a Class C misdemeanor;

(6) relating to dangerously damaged or deteriorated structures or improvements;

(7) relating to conditions caused by accumulations of refuse, vegetation, or other matter that creates breeding and living places for insects and rodents;

(8) relating to the interior configuration, design, illumination, or visibility of business premises exhibiting for viewing by customers while on the premises live or mechanically or electronically displayed entertainment intended to provide sexual stimulation or sexual gratification; [✕]

(9) relating to point source effluent limitations or the discharge of a pollutant, other than from a non-point source, into a sewer system, including a sanitary or storm water sewer system, owned or controlled by the municipality; or
(10) relating to floodplain control and administration, including an ordinance regulating the placement of a structure, fill, or other materials in a designated floodplain.

SECTION 2. Subchapter B, Chapter 54, Local Government Code, is amended by adding Section 54.020 to read as follows:

Sec. 54.020. ABATEMENT OF FLOODPLAIN VIOLATION IN MUNICIPALITIES; LIEN. (a) In addition to any necessary and reasonable actions authorized by law, a municipality may abate a violation of a floodplain management ordinance by causing the work necessary to bring real property into compliance with the ordinance, including the repair, removal, or demolition of a structure, fill, or other material illegally placed in the area designated as a floodplain, if:

(1) the municipality gives the owner reasonable notice and opportunity to comply with the ordinance; and

(2) the owner of the property fails to comply with the ordinance.

(b) The municipality may assess the costs incurred by the municipality under Subsection (a) against the property. The municipality has a lien on the property for the costs incurred and for interest accruing at the annual rate of 10 percent on the amount due until the municipality is paid.

(c) The municipality may perfect the lien by filing written notice of the lien with the county clerk of the county in which the property is located. The notice of lien must be in recordable form and must state the name of each property owner, if known, the legal description of the property, and the amount due.

(d) The municipality's lien is inferior to any previously recorded bona fide mortgage lien attached to the real property to which the municipality's lien attaches, if the mortgage lien was filed for record before the date the municipality files the notice of lien with the county clerk. The municipality's lien is superior to all other previously recorded judgment liens.

SECTION 3. This Act takes effect September 1, 2013.

HB 347 - HOUSE CONCURS IN SENATE AMENDMENTS TEXT OF SENATE AMENDMENTS

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

HB 347, A bill to be entitled An Act relating to prohibiting using a wireless communication device while operating a motor vehicle on school property.

Representative Pitts moved to concur in the senate amendments to **HB 347**.

The motion to concur in the senate amendments to **HB 347** prevailed by (Record 948): 105 Yeas, 37 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycock; Bohac; Bonnen, G.; Branch; Burnam; Callegari; Canales; Capriglione; Carter; Coleman; Collier; Cortez; Craddick; Crownover; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes;

Eiland; Fallon; Farias; Farrar; Frullo; Giddings; Gonzales; González, M.; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Lavender; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Parker; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Simmons; Smith; Smithee; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Anderson; Bell; Burkett; Button; Clardy; Creighton; Dale; Darby; Dutton; Elkins; Fletcher; Flynn; Frank; Geren; Goldman; Gooden; Huberty; Hughes; King, P.; Kleinschmidt; Klick; Krause; Laubenberg; Leach; Orr; Paddie; Phillips; Sanford; Schaefer; Sheffield, R.; Simpson; Springer; Stickland; Taylor; Thompson, E.; Toth; Zedler.

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

Absent, Excused — Turner, E.S.

Absent — Ashby; Cook; Farney; Gonzalez, N.; Guillen.

STATEMENT OF VOTE

I was shown voting no on Record No. 948. I intended to vote yes.

Burkett

Senate Committee Substitute

CSHB 347, A bill to be entitled An Act relating to prohibiting using a wireless communication device while operating a motor vehicle on school property.

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

SECTION 1. The heading to Section 545.425, Transportation Code, is amended to read as follows:

Sec. 545.425. USE OF WIRELESS COMMUNICATION DEVICE IN A SCHOOL CROSSING ZONE OR WHILE OPERATING A SCHOOL BUS WITH A MINOR PASSENGER; OFFENSE.

SECTION 2. Subchapter I, Chapter 545, Transportation Code, is amended by adding Section 545.4252 to read as follows:

Sec. 545.4252. USE OF WIRELESS COMMUNICATION DEVICE ON SCHOOL PROPERTY; OFFENSE. (a) In this section:

(1) "Hands-free device" has the meaning assigned by Section 545.425.

(2) "Wireless communication device" has the meaning assigned by Section 545.425.

(b) Except as provided by Section 545.425(c), an operator may not use a wireless communication device while operating a motor vehicle on the property of a public elementary, middle, junior high, or high school for which a local authority has designated a school crossing zone, during the time a reduced speed limit is in effect for the school crossing zone, unless:

(1) the vehicle is stopped; or
(2) the wireless communication device is used with a hands-free device.
(c) It is an affirmative defense to prosecution of an offense under this section that the wireless communication device was used to make an emergency call to:

(1) an emergency response service, including a rescue, emergency medical, or hazardous material response service;

(2) a hospital;

(3) a fire department;

(4) a health clinic;

(5) a medical doctor's office;

(6) an individual to administer first aid treatment; or

(7) a police department.

(d) This section does not apply to:

(1) an operator of an authorized emergency vehicle using a wireless communication device while acting in an official capacity; or

(2) an operator who is licensed by the Federal Communications Commission while operating a radio frequency device other than a wireless communication device.

(e) This section preempts all local ordinances, rules, or regulations that are inconsistent with specific provisions of this section adopted by a political subdivision of this state relating to the use of a wireless communication device by the operator of a motor vehicle, except that a political subdivision may by ordinance or rule prohibit the use of a wireless communication device while operating a motor vehicle throughout the jurisdiction of the political subdivision.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect September 1, 2013.

RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

MAJOR STATE CALENDAR SENATE BILLS THIRD READING

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

SB 1458 ON THIRD READING
(Callegari, et al. - House Sponsors)

SB 1458, A bill to be entitled An Act relating to contributions to, benefits from, and the administration of systems and programs administered by the Teacher Retirement System of Texas.

SB 1458 was passed by (Record 949): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; 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; Giddings; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Turner, E.S.

Absent — Allen.

SB 1458 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Callegari, Representative Alonzo was authorized as a house sponsor to **SB 1458**.

GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING

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

SB 24 ON THIRD READING
(Oliveira, Branch, et al. - House Sponsors)

SB 24, A bill to be entitled An Act relating to the creation of a new university in South Texas within The University of Texas System.

SB 24 was passed by (Record 950): 143 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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; 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; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Turner, E.S.

Absent — Burnam; Dale; Lewis; Pickett.

(Speaker in the chair)

SB 1430 ON THIRD READING
(Herrero - House Sponsor)

SB 1430, A bill to be entitled An Act relating to the applicability of certain public works contracting requirements.

Amendment No. 1

Representatives Larson and Martinez Fischer offered the following amendment to **SB 1430**:

Amend **SB 1430** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 2267, Government Code, is amended by adding Section 2267.0595 to read as follows:

Sec. 2267.0595. PERMIT REQUIREMENTS FOR CERTAIN PROJECTS.

(a) This section applies to a project to treat brackish groundwater to drinking water standards proposed or constructed under this chapter by a water utility owned by a municipality that:

(1) has a population of more than 1.3 million and is not included in the territory of a subsidence district; or

(2) has a population of more than 300,000 located on the Gulf of Mexico and is not included in the territory of a subsidence district.

(b) A permit issued or renewed for a project described by Subsection (a) must:

(1) allow permitted withdrawals and rates of withdrawal of brackish groundwater that are consistent with the design capacity and projected output of the desalination facility; and

(2) provide for a permit term consistent with minimizing financing costs under commercially available financing terms for a desalination facility.

SECTION _____. Subchapter B, Chapter 252, Local Government Code, is amended by adding Section 252.025 to read as follows:

Sec. 252.025. PERMIT REQUIREMENTS FOR CERTAIN PROJECTS.

(a) This section applies to a project to treat brackish groundwater to drinking water standards proposed or constructed under this chapter by a water utility owned by a municipality that:

(1) has a population of more than 1.3 million and is not included in the territory of a subsidence district; or

(2) has a population of more than 300,000 located on the Gulf of Mexico and is not included in the territory of a subsidence district.

(b) A permit issued or renewed for a project described by Subsection (a) must:

(1) allow permitted withdrawals and rates of withdrawal of brackish groundwater that are consistent with the design capacity and projected output of the desalination facility; and

(2) provide for a permit term consistent with minimizing financing costs under commercially available financing terms for a desalination facility.

Amendment No. 1 was withdrawn.

Representative Herrero moved to postpone consideration of **SB 1430** until 3 p.m. today.

The motion prevailed.

SB 981 ON THIRD READING (Menéndez - House Sponsor)

SB 981, A bill to be entitled An Act relating to electric utility bill payment assistance programs for certain veterans burned in combat.

SB 981 was passed by (Record 951): 144 Yeas, 2 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; 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; Giddings; 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; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Button; Klick.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Clardy; Oliveira.

SB 639 ON THIRD READING

(Geren, N. Gonzalez, Guerra, Gooden, Herrero, et al. - House Sponsors)

SB 639, A bill to be entitled An Act relating to the sale of beer, ale, and malt liquor by a brewer or beer manufacturer to a wholesaler or distributor and contractual agreements between those entities.

SB 639 was passed by (Record 952): 122 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Branch; Burnam; Callegari; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hunter; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; 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; Patrick; Perez; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Bonnen, G.; Burkett; Button; Capriglione; Carter; Creighton; Flynn; Huberty; Hughes; Isaac; Klick; Krause; Laubenberg; Parker; Perry; Phillips; Sanford; Schaefer; Simpson; Stickland; Taylor; Thompson, E.; Villalba; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 952. I intended to vote no.

Bell

I was shown voting yes on Record No. 952. I intended to vote no.

P. King

I was shown voting no on Record No. 952. I intended to vote yes.

E. Thompson

SB 515 ON THIRD READING

(Smith, Harless, Villarreal, Isaac, E. Rodriguez, et al. - House Sponsors)

SB 515, A bill to be entitled An Act relating to the sale and production of malt liquor, ale, and beer by the holder of a brewpub license.

SB 515 was passed by (Record 953): 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; 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; Frank; Frullo; Geren; Giddings; 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; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Carter; Flynn; Perry; Sanford; Taylor.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Burnam; Morrison; Pickett; White.

STATEMENT OF VOTE

I was shown voting no on Record No. 953. I intended to vote yes.

Carter

SB 516 ON THIRD READING**(Smith, Harless, Villarreal, Isaac, E. Rodriguez, et al. - House Sponsors)**

SB 516, A bill to be entitled An Act relating to the distribution of ale by certain brewers.

SB 516 was passed by (Record 954): 144 Yeas, 3 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; Frank; Frullo; Geren; Giddings; 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; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Flynn; Perry; Sanford.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Murphy.

SB 517 ON THIRD READING**(Smith, Harless, Villarreal, Isaac, E. Rodriguez, et al. - House Sponsors)**

SB 517, A bill to be entitled An Act relating to the distribution of beer by certain manufacturers.

SB 517 was passed by (Record 955): 145 Yeas, 3 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; Frank; Frullo; Geren; Giddings; 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; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Flynn; Perry; Sanford.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

SB 518 ON THIRD READING

(Smith, Harless, Villarreal, Isaac, E. Rodriguez, et al. - House Sponsors)

SB 518, A bill to be entitled An Act relating to the authority of certain brewers and manufacturers to sell beer and ale to ultimate consumers.

SB 518 was passed by (Record 956): 142 Yeas, 3 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; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; 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; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Flynn; Perry; Sanford.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Gonzalez, N.; Rodriguez, J.; Schaefer.

SB 1678 ON THIRD READING
(Isaac, Lucio, and J. Davis - House Sponsors)

SB 1678, A bill to be entitled An Act relating to the events and expenses eligible for, reporting requirements concerning disbursements from, and a study by the comptroller of the Major Events trust fund and the Events trust fund.

SB 1678 was passed by (Record 957): 145 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; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Simpson; Turner, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Elkins.

STATEMENT OF VOTE

I was shown voting yes on Record No. 957. I intended to vote no.

Frullo

SB 1017 ON THIRD READING
(Lavender - House Sponsor)

SB 1017, A bill to be entitled An Act relating to the funding for and administration of travel and information operations by the Texas Department of Transportation.

SB 1017 was passed by (Record 958): 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; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; 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; 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, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Elkins; Gonzalez, N.; Pickett; Thompson, E.

STATEMENT OF VOTE

When Record No. 958 was taken, my vote failed to register. I would have voted yes.

E. Thompson

SB 652 ON THIRD READING (Guillen - House Sponsor)

SB 652, A bill to be entitled An Act relating to the transfer of alcoholic beverages for manufacturing purposes between certain permit and license holders.

SB 652 was passed by (Record 959): 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; 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; Giddings; 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; 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.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Coleman; Miles; Pickett; Walle.

SB 758 ON THIRD READING

(Pitts, Crossover, Otto, and Darby - House Sponsors)

SB 758, A bill to be entitled An Act relating to the established schedule of payments from the foundation school fund of the yearly entitlement of certain school districts.

SB 758 was passed by (Record 960): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycoc; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crossover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Longoria; McClendon; Murphy; Otto.

STATEMENTS OF VOTE

When Record No. 960 was taken, I was in the house but away from my desk. I would have voted yes.

Longoria

When Record No. 960 was taken, my vote failed to register. I would have voted yes.

McClendon

SB 198 ON THIRD READING
(Dukes - House Sponsor)

SB 198, A bill to be entitled An Act relating to restrictive covenants regulating drought-resistant landscaping or water-conserving natural turf.

SB 198 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE MURPHY: Ms. Dukes, I want to ask you about some legislative intent stuff, if I may. Having read through your bill, with respect to the materials that are allowed or approved, this bill leaves the decision with each local HOA, is that correct?

REPRESENTATIVE DUKES: That is correct.

MURPHY: And if your bill passes, would a homeowner be allowed to use, for instance, synthetic grass if their homeowners' association approves it?

DUKES: That decision would be made locally, correct.

MURPHY: So there's nothing in the bill that would prevent an HOA from allowing this option?

DUKES: That is correct. These are some great questions, Representative Murphy, and I just want you to know that you're one of the finest representatives in the house and, just as you told me to read, you are indeed my favorite member.

REMARKS ORDERED PRINTED

Representative Murphy moved to print remarks by Representative Dukes and Representative Murphy.

The motion prevailed.

SB 198 was passed by (Record 961): 88 Yeas, 58 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Burkett; Burnam; Callegari; Canales; Carter; Coleman; Collier; Cortez; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farney; Farrar; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, T.; Kleinschmidt; Larson; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Perez; Pickett; Pitts; Price; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sheffield, J.; Smith; Smithee; Springer; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Button; Capriglione; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Elkins; Fallon; Fletcher; Flynn; Frank; Frullo; Goldman; Gooden; Harless; Hilderbran; Hughes; King, S.; Klick; Krause; Kuempel; Laubenberg; Lavender; Leach; Lewis; Miller, D.; Miller, R.; Paddie; Parker; Patrick; Perry; Phillips; Ratliff; Sanford; Schaefer; Sheets; Sheffield, R.; Simmons; Simpson; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Villalba; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Kolkhorst; Rose.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 961. I intended to vote no.

Hunter

When Record No. 961 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

I was shown voting yes on Record No. 961. I intended to vote no.

J. Sheffield

I was shown voting yes on Record No. 961. I intended to vote no.

Smithee

When Record No. 961 was taken, I was excused because of personal business. I would have voted no.

E. S. Turner

SB 1364 ON THIRD READING (Murphy and Deshotel - House Sponsors)

SB 1364, A bill to be entitled An Act relating to the computation of an electric utility's income taxes.

SB 1364 was passed by (Record 962): 137 Yeas, 8 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; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; 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; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Perez; Perry; Pitts; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Button; Elkins; Hilderbran; Morrison; Patrick; Pickett; Price; Smithee.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Phillips; Rose; Smith.

STATEMENTS OF VOTE

I was shown voting no on Record No. 962. I intended to vote yes.

Hilderbran

When Record No. 962 was taken, I was in the house but away from my desk. I would have voted no.

Phillips

When Record No. 962 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

SB 124 ON THIRD READING (Márquez and Moody - House Sponsors)

SB 124, A bill to be entitled An Act relating to the punishment for the offense of tampering with certain governmental records based on certain reporting for school districts and open-enrollment charter schools.

SB 124 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Herrero, Representative N. Gonzalez was authorized as a house sponsor to **SB 124**.

SB 124 was passed by (Record 963): 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; 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; Giddings; 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; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; 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; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Perry; Rose; Stephenson.

STATEMENTS OF VOTE

When Record No. 963 was taken, I was in the house but away from my desk. I would have voted yes.

Perry

When Record No. 963 was taken, I was in the house but away from my desk. I would have voted yes.

Rose

SB 147 ON THIRD READING (Smithee - House Sponsor)

SB 147, A bill to be entitled An Act relating to the amount of outstanding total liability of a mortgage guaranty insurer.

SB 147 was passed by (Record 964): 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; Cortez; Craddick; Creighton; Crossover; Dale; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez 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; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Davis, S.; King, T.; Ritter; Stephenson.

SB 895 ON THIRD READING
(Alvarado, Flynn, and Perry - House Sponsors)

SB 895, A bill to be entitled An Act relating to access to records of a nonprofit organization supporting the Cancer Prevention and Research Institute of Texas under the public information law.

SB 895 was passed by (Record 965): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Hunter; Isaac; Johnson; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Alonzo; Kacal.

SB 421 ON THIRD READING
(Naishtat - House Sponsor)

SB 421, A bill to be entitled An Act relating to the Texas System of Care and the development of local mental health systems of care for certain children.

SB 421 was passed by (Record 966): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; 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; Giddings; 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; 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, S.; Villalba; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

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

Absent, Excused — Turner, E.S.

Absent — Longoria; Villarreal.

STATEMENT OF VOTE

When Record No. 966 was taken, I was excused because of personal business. I would have voted no.

E. S. Turner

SB 978 ON THIRD READING (S. Davis - House Sponsor)

SB 978, A bill to be entitled An Act relating to regulation by the Texas Medical Board of local anesthesia and peripheral nerve blocks administered in an outpatient setting.

SB 978 was passed by (Record 967): 116 Yeas, 31 Nays, 1 Present, not voting.

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

Nays — Ashby; Bell; Bonnen, D.; Bonnen, G.; Branch; Button; Capriglione; Creighton; Elkins; Fallon; Fletcher; Frank; Goldman; Hilderbran; Huberty; King, S.; Krause; Leach; Miller, R.; Orr; Parker; Phillips; Schaefer; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Thompson, E.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Walle.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 967. I intended to vote no.

Gooden

When Record No. 967 was taken, I was excused because of personal business. I would have voted no.

E. S. Turner

COMMITTEE GRANTED PERMISSION TO MEET

Representative Raymond requested permission for the Committee on Human Services to meet while the house is in session, at 3 p.m. today, in 3W.15, to consider **HCR 197**.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Human Services, 3 p.m. today, 3W.15, for a formal meeting, to consider **HCR 197**.

SB 1214 ON THIRD READING (Darby - House Sponsor)

SB 1214, A bill to be entitled An Act relating to certain economic development programs administered by the Department of Agriculture.

SB 1214 was passed by (Record 968): 144 Yeas, 3 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; Giddings; 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; 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; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Schaefer; Simpson; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Muñoz.

STATEMENT OF VOTE

When Record No. 968 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

SB 1411 ON THIRD READING (Gooden - House Sponsor)

SB 1411, A bill to be entitled An Act relating to regulation of traffic in a conservation and reclamation district by a commissioners court.

SB 1411 was passed by (Record 969): 144 Yeas, 0 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; 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; 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; 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.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Burnam; Johnson; Riddle; Turner, S.

SB 1401 ON THIRD READING
(E. Rodriguez - House Sponsor)

SB 1401, A bill to be entitled An Act relating to the eligibility of certain providers of laboratory services to participate in programs administered by health and human services agencies or the Health and Human Services Commission.

SB 1401 was passed by (Record 970): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; 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; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Turner, E.S.

Absent — Allen; Herrero; Zerwas.

SB 1729 ON THIRD READING
(K. King and Taylor - House Sponsors)

SB 1729, A bill to be entitled An Act relating to an agreement between the Department of Public Safety and a county for the provision of renewal and duplicate driver's license and other identification certificate services; authorizing a fee.

Amendment No. 1

Representative Cook offered the following amendment to **SB 1729**:

Amend **SB 1729** (house committee printing) on page 3, between lines 3 and 4, by adding the following:

(g) In this section, "driver's license" includes any Texas resident driver's permit authorized by law.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence temporarily for today because of house administration business:

Frullo on motion of Flynn.

Geren on motion of Flynn.

Kuempel on motion of Flynn.

SB 1729 - (consideration continued)

Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote) by (Record 971): 72 Yeas, 67 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cook; Cortez; Crownover; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farrar; Frank; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Johnson; Kacal; Keffer; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Patrick; Perez; Pickett; Pitts; Raymond; Reynolds; Ritter; Rodriguez, J.; Rose; Sheffield, J.; Simpson; Smith; Strama; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Wu.

Nays — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Callegari; Capriglione; Carter; Clardy; Craddick; Creighton; Dale; Darby; Fallon; Farney; Fletcher; Flynn; Goldman; Gonzales; Gooden; Hilderbran; Huberty; Hughes; Isaac; King, P.; King, S.; Kleinschmidt; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Miller, R.; Morrison; Murphy; Orr; Paddie; Parker; Perry; Phillips; Price; Raney; Ratliff; Riddle; Schaefer; Sheets; Sheffield, R.; Simmons; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; White; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Frullo; Geren; Kuempel; Turner, E.S.

Absent — Harper-Brown; Hunter; King, K.; Klick; Rodriguez, E.; Sanford.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 971. I intended to vote no.

Crownover

I was shown voting yes on Record No. 971. I intended to vote no.

J. Davis

When Record No. 971 was taken, I was excused because of house administration business. I would have voted no.

Frullo

I was shown voting yes on Record No. 971. I intended to vote no.

Harless

When Record No. 971 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 971 was taken, I was excused because of house administration business. I would have voted no.

Kuempel

I was shown voting yes on Record No. 971. I intended to vote no.

Patrick

I was shown voting yes on Record No. 971. I intended to vote no.

Ritter

When Record No. 971 was taken, I was in the house but away from my desk. I would have voted no.

Sanford

SB 1729 was passed by (Record 972): 140 Yeas, 0 Nays, 1 Present, not voting.

Yeas — 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Hughes; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; 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; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Frullo; Geren; Kuempel; Turner, E.S.

Absent — Allen; Huberty; Hunter; Klick; Sanford.

STATEMENTS OF VOTE

When Record No. 972 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 972 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 972 was taken, I was in the house but away from my desk. I would have voted no.

Klick

SB 1678 - HOUSE SPONSOR AUTHORIZED

On motion of Representative J. Davis, Representative Alvarado was authorized as a house sponsor to **SB 1678**.

**SB 146 ON THIRD READING
(Kolkhorst - House Sponsor)**

SB 146, A bill to be entitled An Act relating to access by a public institution of higher education to the criminal history record information of certain persons seeking to reside in on-campus housing.

SB 146 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE WU: Most college students are between 18 and 20 years old. Does this bill intend to allow access into juvenile records?

REPRESENTATIVE KOLKHORST: No, it does not. In fact, as you well know in your practice, most juvenile records are considered restricted information that is only available to law enforcement agencies upon request with certain exceptions for sex offender registration, gang affiliation, and violent or habitual felonies. Institutions of higher education referenced in this bill are not considered law enforcement and will not be able to get to those, and that's not the intent of this bill.

WU: Excellent. So, if a university somehow obtains sealed or expunged juvenile records, that would be completely out of bounds?

KOLKHORST: Yes. Expunged or sealed juvenile records are not addressed by this bill, and if an institution of higher education obtains information about a juvenile offender that was sealed or expunged, the institution did not get that information through this mechanism. It is not the intent of this mechanism, and they are not provided that mechanism by this bill to search the DPS database. As previously stated, restricted juvenile records on the DPS database are not available for review by a requester that is not law enforcement, and we are not going to change that in this bill.

WU: Absolutely. Madam Chair, does this bill grant access to non-disclosed records?

KOLKHORST: No, it does not, and Subsection 411.018 of the Government Code provides a list of agencies that can overcome an order of non-disclosure when requesting a background check, and an institution of higher education is not on that list.

WU: Okay. Lastly, this bill does not address how a school may evaluate the records once they receive them. Would it be appropriate for a school to base its decision solely on an allegation or an arrest?

KOLKHORST: The bill provides just another tool for housing authorities at the institutions of higher education to make a decision regarding a student's application for on-campus housing. The university itself, you know, has the discretion, and each university has different discretions. And I think already by law, they have to disclose to that student why they were rejected anyway. So this bill is not intended for them to have another reason to reject a student, but just to give a more thorough background check to keep other students safe.

(Harper-Brown in the chair)

REMARKS ORDERED PRINTED

Representative Wu moved to print remarks between Representative Kolkhorst and Representative Wu.

The motion prevailed.

Amendment No. 1

Representative Wu offered the following amendment to **SB 146**:

Amend **SB 146** (house committee report) as follows:

(1) On page 2, line 4, following the underlined period, insert "The institution shall notify a student who is the subject of the criminal history record information of any use of the information to deny the student the opportunity to reside in on-campus housing at the institution."

(2) On page 2, line 13, between "Subsection (b)" and "shall be destroyed", insert ", including any copy of the content of that information held by the institution,".

Amendment No. 1 was adopted.

SB 146, as amended, was passed by (Record 973): 132 Yeas, 7 Nays, 2 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; Cortez; Craddick; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Giddings; Goldman; Gonzales; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; Isaac; Johnson; Kacal; King, K.; King, P.; 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; Naishtat; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Collier; Dutton; González, M.; King, S.; Nevárez; Rodriguez, J.; Stickland.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Frullo; Geren; Kuempel; Turner, E.S.

Absent — Hunter; Keffer; Murphy; Pickett; Sanford.

STATEMENTS OF VOTE

When Record No. 973 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

I was shown voting yes on Record No. 973. I intended to vote no.

Márquez

I was shown voting yes on Record No. 973. I intended to vote no.

Rose

When Record No. 973 was taken, I was excused because of personal business. I would have voted no.

E. S. Turner

SB 1459 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Callegari, Representatives Alonzo, Menéndez, and Allen were authorized as house sponsors to **SB 1459**.

SB 542 ON THIRD READING (Allen - House Sponsor)

SB 542, A bill to be entitled An Act relating to alternative dispute resolution methods regarding educational services for students with disabilities, including individualized education program facilitation.

SB 542 was passed by (Record 974): 114 Yeas, 26 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, G.; Burkett; Burnam; Callegari; Canales; Carter; Collier; Cook; Cortez; Craddick; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Flynn; Frank; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Larson;

Laubenberg; Leach; Lewis; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, R.; Moody; Morrison; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Strama; Thompson, E.; Thompson, S.; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zerwas.

Nays — Bell; Bonnen, D.; Branch; Button; Capriglione; Clardy; Creighton; Dale; Fallon; Fletcher; Hilderbran; Hughes; Isaac; Kolkhorst; Krause; Lavender; Lozano; Miller, D.; Parker; Phillips; Schaefer; Simpson; Stickland; Taylor; Toth; Zedler.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Frullo; Geren; Kuempel; Turner, E.S.

Absent — Coleman; Hunter; Murphy; Sanford.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 974. I intended to vote no.

Anderson

I was shown voting yes on Record No. 974. I intended to vote no.

Gooden

When Record No. 974 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

I was shown voting no on Record No. 974. I intended to vote yes.

Parker

I was shown voting yes on Record No. 974. I intended to vote no.

Springer

When Record No. 974 was taken, I was excused because of personal business. I would have voted no.

E. S. Turner

SB 1114 ON THIRD READING (Herrero - House Sponsor)

SB 1114, A bill to be entitled An Act relating to the prosecution of certain misdemeanor offenses committed by children and to school district law enforcement.

Amendment No. 1

Representative Giddings offered the following amendment to **SB 1114**:

Amend **SB 1114**, on third reading, by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.023 to read as follows:

Sec. 37.023. REPORTS RELATING TO CERTAIN OFFENSES COMMITTED BY CERTAIN STUDENTS. (a) In the manner required by the commissioner and subject to Subsection (b), each school district shall annually report to the commissioner information relating to each offense that does not involve the use of a weapon:

(1) committed during school hours on school property by a student who is younger than 12 years of age; and

(2) for which the student receives a citation.

(b) Conduct that must be reported under Subsection (a) includes only conduct that:

(1) is not harassment as defined by Section 37.001;

(2) occurs between two students;

(3) is not violent;

(4) involves open-handed physical contact; and

(5) is not intended to cause harm and is playful.

(c) The report required under Subsection (a) must include:

(1) the offense committed by the student;

(2) the age and sex of the student;

(3) the race or ethnicity of the student;

(4) the grade level of the student; and

(5) the campus to which the student is assigned.

(d) The commissioner may adopt rules necessary to implement this section.

SECTION _____. Section 37.023, Education Code, as added by this Act, applies beginning with the 2013-2014 school year.

(Geren now present)

Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote) by (Record 975): 73 Yeas, 67 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Burkett; Burnam; Callegari; Canales; Collier; Cortez; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Frank; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty; Johnson; King, P.; Kleinschmidt; Klick; Larson; Leach; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Oliveira; Patrick; Perez; Perry; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheffield, J.; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Button; Capriglione; Carter; Clardy; Cook; Craddick; Creighton; Crownover; Dale; Darby; Elkins; Fallon; Farney; Fletcher; Flynn; Geren; Goldman; Gonzales;

Gooden; Hilderbran; Hunter; Isaac; Kacal; King, K.; King, S.; Kolkhorst; Krause; Laubenberg; Lavender; Lewis; Miller, D.; Miller, R.; Morrison; Murphy; Nevárez; Orr; Otto; Paddie; Parker; Phillips; Pitts; Ratliff; Riddle; Ritter; Sanford; Sheets; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Villalba; White; Zedler.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Frullo; Kuempel; Turner, E.S.

Absent — Coleman; Hughes; Keffer; King, T.; Lozano.

(Frullo and Kuempel now present)

SB 1114 was passed by (Record 976): 124 Yeas, 19 Nays, 2 Present, not voting.

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

Nays — Bonnen, D.; Bonnen, G.; Branch; Button; Carter; Craddick; Flynn; Hilderbran; Kacal; Kolkhorst; Kuempel; Lavender; Lewis; Phillips; Pitts; Smith; Stephenson; Thompson, E.; Zedler.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Turner, E.S.

Absent — Frullo; Lozano; Paddie; Turner, C.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 976. I intended to vote no.

Anderson

When Record No. 976 was taken, I was in the house but away from my desk. I would have voted no.

Frullo

SB 149 ON THIRD READING
(Keffer, S. Thompson, S. Davis, Morrison,
Martinez Fischer, et al. - House Sponsors)

SB 149, A bill to be entitled An Act relating to the Cancer Prevention and Research Institute of Texas.

Amendment No. 1

Representatives Martinez Fischer and Keffer offered the following amendment to **SB 149**:

Amend **SB 149** (house committee report) as follows:

(1) On page 7, strike lines 6 through 7 and substitute the following:

SECTION 9. Sections 102.101, Health and Safety Code, is amended by amending Subsections (b), (d), and (e) and adding Subsection (f) to read as follows:

(2) On page 8, between lines 11 and 12, insert the following new subsection:

(f) A person appointed to the oversight committee shall disclose to the institute each political contribution to a candidate for a state or federal office over \$1,000 made by the person in the five years preceding the person's appointment and each year after the person's appointment until the person's term expires. The institute annually shall post a report of the political contributions made by oversight committee members on the institute's publicly accessible Internet website and post a link to the report on the oversight committee's main Internet web page.

Amendment No. 1 was adopted.

SB 149, as amended, was passed by (Record 977): 140 Yeas, 3 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Carter; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; 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; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Patrick; Perez; Phillips; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Bell; Orr; Perry.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Turner, E.S.

Absent — Creighton; Dutton; Lozano; Sheffield, R.

STATEMENT OF VOTE

When Record No. 977 was taken, I was in the house but away from my desk. I would have voted yes.

R. Sheffield

SB 149 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Kolkhorst, Representatives Flynn and Alvarado were authorized as house sponsors to **SB 149**.

SB 34 ON THIRD READING (Naishtat - House Sponsor)

SB 34, A bill to be entitled An Act relating to the administration of psychoactive medications to persons receiving services in certain facilities.

SB 34 was passed by (Record 978): 144 Yeas, 0 Nays, 2 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; Craddock; Creighton; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hunter; Isaac; Johnson; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Turner, E.S.

Absent — Hughes; Keffer; Lozano.

**SB 1106 ON THIRD READING
(J. Davis - House Sponsor)**

SB 1106, A bill to be entitled An Act relating to the use of maximum allowable cost lists under a Medicaid managed care pharmacy benefit plan.

SB 1106 was passed by (Record 979): 140 Yeas, 4 Nays, 2 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; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; 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; 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.; Simmons; Simpson; Smith; Smithee; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Sheffield, R.; Springer; Stephenson; Stickland.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Turner, E.S.

Absent — Callegari; Frank; Lozano.

**SB 8 ON THIRD READING
(Kolkhorst, G. Bonnen, Zerwas, and J. Sheffield - House Sponsors)**

SB 8, A bill to be entitled An Act relating to the provision and delivery of certain health and human services in this state, including the provision of those services through the Medicaid program and the prevention of fraud, waste, and abuse in that program and other programs.

SB 8 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE GUILLEN: Madam Chair, is it the intent of this bill to create a regionalized capitated medical transportation program that will allow public transit and community-based transit organizations to compete, and that there will not be a statewide full-risk broker implementation plan?

REPRESENTATIVE KOLKHORST: That is right. It is divided into regions so that it's not meant for—everyone can bid and—the public can bid in the different regions. It is not intended that the contract will be awarded statewide.

GUILLEN: And, isn't it true that the Medical Transportation Program now has several different implementation dates and expiration dates for pilot programs and other contracts? Could we possibly address that in conference committee if the bill goes there?

KOLKHORST: Yes. So, your question is that we have two pilot programs on full-risk brokers going on in the Houston area and the Dallas area, and those expire in 2015 if I'm—I think it's August 31, 2015—and then there was another pilot that was added by Doc Anderson, and it was 2015, and then there are contracts that are coming up and so there will be some coordination needed.

REMARKS ORDERED PRINTED

Representative Guillen moved to print remarks between Representative Kolkhorst and Representative Guillen.

The motion prevailed.

SB 8 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE PHILLIPS: For legislative intent, you talked about the two pilot programs. I had an amendment that changed the deadline for two counties, basically. Is that correct?

KOLKHORST: Yes, I believe so.

PHILLIPS: In the North Texas full-risk broker pilot program?

KOLKHORST: Yes, and you were Amendment No.—I'll get to it—six, Amendment No. 6.

PHILLIPS: Right. So the comments that you made were reflective in general; they weren't comments on the intent of that amendment?

KOLKHORST: Right. So in the bill, it's going to be regionally—we're going to split the state up into regions, and we're going to bid it on a capitative model, and you had an amendment that would take some of your counties out of one of the pilot programs currently.

PHILLIPS: Right, and my understanding—it's your legislative intent that regional transit providers, or those people who are providing transit services in our areas, will be allowed to bid on those?

KOLKHORST: Yes.

PHILLIPS: Allowed to bid on those? Is that correct?

KOLKHORST: Correct, except for the current pilot programs that don't expire until 2015.

PHILLIPS: Right. And that's why we moved the two out, so that my regional area could do that, or our region.

KOLKHORST: Right, we're going to split it up into regions that make sense and we're going to bid those contracts.

PHILLIPS: And it's your intent that the department—which department? Which department is going to make these decisions?

KOLKHORST: Yes. The Health and Human Services Commission is going to split the state up into different regions.

PHILLIPS: And it's your intent that the commission is going to work with the different geographic areas, and they're going to do this by rule so we can have input in that process?

KOLKHORST: The regions will be established by rule rather than by statute so that there could be some flexibility and there could be more stakeholder input. And, you know, Chairman Phillips, I really believe that what we're after here is a model that's more efficient, both in dollars and cents, and in meeting the needs of our most fragile in our society.

PHILLIPS: Without a doubt.

REMARKS ORDERED PRINTED

Representative Phillips moved to print remarks between Representative Kolkhorst and Representative Phillips.

The motion prevailed.

SB 8 was passed by (Record 980): 144 Yeas, 0 Nays, 2 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; 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; 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; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Turner, E.S.

Absent — Guillen; Leach; Reynolds.

STATEMENT OF VOTE

When Record No. 980 was taken, I was in the house but away from my desk. I would have voted yes.

Leach

LEAVE OF ABSENCE GRANTED

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

Menéndez on motion of J. Davis.

SB 484 ON THIRD READING**(S. Turner - House Sponsor)**

SB 484, A bill to be entitled An Act relating to the creation of a prostitution prevention program; authorizing a fee.

Amendment No. 1

Representative S. Turner offered the following amendment to **SB 484**:

Amend **SB 484**, on third reading, as follows:

(1) Strike the SECTION adding Article 42.13, Code of Criminal Procedure, as added to the bill by Floor Amendment No. 1 by Taylor.

(2) Strike the SECTION of the bill adding Article 48.06, Code of Criminal Procedure, as added to the bill by Floor Amendment No. 1 by Taylor.

(3) Strike the SECTION of the bill adding Article 55.01(a-3), Code of Criminal Procedure, as added to the bill by Floor Amendment No. 1 by Taylor.

Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote) by (Record 981): 31 Yeas, 110 Nays, 2 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Clardy; Darby; Davis, J.; Davis, S.; Dukes; Dutton; Farrar; Giddings; Howard; Keffer; Martinez; McClendon; Miles; Moody; Murphy; Oliveira; Perez; Perry; Price; Rodriguez, E.; Schaefer; Sheffield, J.; Simpson; Strama; Turner, C.; Turner, S.; Villarreal; Wu.

Nays — Alonzo; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Craddick; Creighton; Crownover; Dale; Davis, Y.; Eiland; Elkins; Fallon; Farias; Farney; Fletcher; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Hilderbran; Huberty; Hughes; Hunter; Isaac; Johnson; Kacal; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Lozano; Lucio; Márquez; Martinez Fischer; Miller, D.; Miller, R.; Muñoz; Naishtat; Nevárez; Orr; Otto; Paddie; Parker; Phillips; Pickett; Pitts; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Thompson, S.; Toth; Villalba; Vo; Walle; White; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Menéndez; Turner, E.S.

Absent — Carter; Deshotel; Longoria; Morrison; Patrick.

STATEMENTS OF VOTE

When Record No. 981 was taken, my vote failed to register. I would have voted no.

Carter

When Record No. 981 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 981 was taken, I was in the house but away from my desk. I would have voted no.

Patrick

SB 484 was passed by (Record 982): 115 Yeas, 29 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Branch; Burnam; Callegari; Canales; Clardy; Coleman; Collier; Cortez; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Frank; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Hughes; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Simpson; Smith; Stickland; Strama; Taylor; Thompson, S.; Toth; Turner, C.; Turner, S.; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Bonnen, D.; Bonnen, G.; Burkett; Button; Capriglione; Carter; Cook; Craddick; Creighton; Dale; Dutton; Flynn; Frullo; Hilderbran; Huberty; King, P.; Klick; Krause; Lavender; Miller, R.; Morrison; Parker; Phillips; Sheffield, R.; Smithee; Springer; Stephenson; Thompson, E.; Villalba.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Menéndez; Turner, E.S.

Absent — Hunter; Rodriguez, E.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 982. I intended to vote no.

Aycock

I was shown voting yes on Record No. 982. I intended to vote no.

Darby

When Record No. 982 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. 982. I intended to vote no.

Kolkhorst

I was shown voting yes on Record No. 982. I intended to vote no.

Perry

I was shown voting yes on Record No. 982. I intended to vote no.

Stickland

I was shown voting no on Record No. 982. I intended to vote yes.

Villalba

SB 58 ON THIRD READING

(Zerwas - House Sponsor)

SB 58, A bill to be entitled An Act relating to the integration of behavioral health and physical health services into the Medicaid managed care program.

SB 58 was passed by (Record 983): 142 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; 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; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Bell; Riddle; Springer; Stickland.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Menéndez; Turner, E.S.

SB 1057 ON THIRD READING
(Zerwas - House Sponsor)

SB 1057, A bill to be entitled An Act relating to information about private health care insurance coverage and the health insurance exchange for individuals applying for certain Department of State Health Services health or mental health benefits, services, and assistance.

SB 1057 was passed by (Record 984): 143 Yeas, 2 Nays, 2 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; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; 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; Smith; Smithee; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Nays — Simpson; Stickland.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Menéndez; Turner, E.S.

Absent — Darby.

SB 632 ON THIRD READING
(Lozano - House Sponsor)

SB 632, A bill to be entitled An Act relating to contracts between optometrists or therapeutic optometrists and health maintenance organizations or insurers.

SB 632 was passed by (Record 985): 137 Yeas, 2 Nays, 3 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; Farrar; Fletcher; Flynn; Frank;

Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Gutierrez; Harless; 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; Nevárez; Oliveira; Orr; Otto; Paddie; Parker; Patrick; Perez; Perry; Phillips; Pickett; Pitts; Price; Raney; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Springer; Stephenson; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Walle; White; Wu; Zedler; Zerwas.

Nays — Schaefer; Stickland.

Present, not voting — Mr. Speaker; Harper-Brown(C); Smithee.

Absent, Excused — Menéndez; Turner, E.S.

Absent — Farney; Guerra; Martinez Fischer; Ratliff; Vo; Workman.

STATEMENTS OF VOTE

I was shown voting no on Record No. 985. I intended to vote yes.

Schaefer

I was shown voting no on Record No. 985. I intended to vote yes.

Stickland

SB 1390 ON THIRD READING

(J. Davis, Y. Davis, and S. Davis - House Sponsors)

SB 1390, A bill to be entitled An Act relating to an audit by the state auditor of the Texas Enterprise Fund.

SB 1390 was passed by (Record 986): 145 Yeas, 0 Nays, 2 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; 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; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith;

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

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Menéndez; Turner, E.S.

Absent — Sanford.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 986. I intended to vote no.

Fletcher

When Record No. 986 was taken, I was in the house but away from my desk. I would have voted yes.

Sanford

When Record No. 986 was taken, I was excused because of personal business. I would have voted no.

E. S. Turner

SB 1596 ON THIRD READING (E. Rodriguez - House Sponsor)

SB 1596, A bill to be entitled An Act relating to the annexation by a municipality of territory of an emergency services district.

Representative Workman moved to postpone consideration of **SB 1596** until 4:30 p.m. today.

The motion prevailed.

SB 1356 ON THIRD READING (McClendon and Riddle - House Sponsors)

SB 1356, A bill to be entitled An Act relating to requiring trauma-informed care training for certain staff of county and state juvenile facilities.

SB 1356 was passed by (Record 987): 146 Yeas, 0 Nays, 2 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; 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, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Menéndez; Turner, E.S.

**MAJOR STATE CALENDAR
SENATE BILLS
SECOND READING**

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

**SB 1459 ON SECOND READING
(Callegari, et al. - House Sponsors)**

SB 1459, A bill to be entitled An Act relating to the powers and duties of and contributions to and benefits from the systems and programs administered by the Employees Retirement System of Texas.

Amendment No. 1

Representative Gonzales offered the following amendment to **SB 1459**:

Amend **SB 1459** (house committee printing) as follows:

(1) On page 17, line 17, strike "and (d)" and substitute "(d), and (e)".

(2) On page 17, between lines 18 and 19, insert the following new Subsection (b) and reletter subsequent subsections of that SECTION accordingly:

(b) Sections 814.404 and 814.507, Government Code, as added by this Act, take effect January 1, 2014.

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

SECTION _____. Subchapter E, Chapter 814, Government Code, is amended by adding Section 814.404 to read as follows:

Sec. 814.404. ASSIGNMENT OF DEATH BENEFIT FOR FUNERAL SERVICES. (a) A beneficiary to whom a benefit is payable under this subchapter may by assignment provide that part or all of the benefit be paid in consideration for services provided in connection with the death of the member directly to a funeral director or funeral establishment licensed under:

(1) Chapter 651, Occupations Code; or

(2) the comparable law of another state.

(b) The board of trustees by rule may establish requirements for forms, documentation, and procedures necessary for an effective assignment under this section.

SECTION _____. Subchapter F, Chapter 814, Government Code, is amended by adding Section 814.507 to read as follows:

Sec. 814.507. ASSIGNMENT OF DEATH BENEFIT FOR FUNERAL SERVICES. (a) A beneficiary to whom a benefit is payable under this subchapter may by assignment provide that part or all of the benefit be paid in consideration for services provided in connection with the death of the retiree directly to a funeral director or funeral establishment licensed under:

(1) Chapter 651, Occupations Code; or

(2) the comparable law of another state.

(b) The board of trustees by rule may establish requirements for forms, documentation, and procedures necessary for an effective assignment under this section.

SECTION _____. (a) As soon as practicable after the effective date of this Act, but not later than January 1, 2014, the board of trustees of the Employees Retirement System of Texas shall adopt rules to implement Sections 814.404 and 814.507, Government Code, as added by this Act.

(b) The change in law made by this Act by the enactment of Sections 814.404 and 814.507, Government Code, applies only to a benefit that is payable on or after January 1, 2014. A benefit that is payable before that date is governed by the law in effect immediately before January 1, 2014, and the former law is continued in effect for that purpose.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Isaac offered the following amendment to **SB 1459**:

Amend **SB 1459** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 814.103, Government Code, is amended to read as follows:

Sec. 814.103. SERVICE RETIREMENT BENEFITS FOR ELECTED CLASS SERVICE. (a) Except as provided by Subsection (b), the standard service retirement annuity for service credited in the elected class of membership is an amount equal to the number of years of service credit in that class, times two percent of the [state] salary, excluding longevity pay payable under Section 659.0445 and as adjusted from time to time, listed in the General Appropriations Act for the governor [~~being paid a district judge~~].

(b) The standard service retirement annuity for service credited in the elected class may not exceed at any time $83\frac{1}{3}$ [~~+00~~] percent of the [state] salary listed in the General Appropriations Act for the governor [~~being paid a district judge~~].

LEAVE OF ABSENCE GRANTED

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

Hilderbran on motion of Smithee.

(E. S. Turner now present)

SB 1459 - (consideration continued)

Representative Callegari moved to table Amendment No. 2.

The motion to table prevailed by (Record 988): 84 Yeas, 59 Nays, 4 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Aycocock; Burnam; Callegari; Canales; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Dale; Darby; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frullo; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Guerra; Gutierrez; Harless; Hernandez Luna; Howard; Kacal; Keffer; King, K.; King, S.; Laubenberg; Lavender; Lewis; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Miles; Miller, D.; Morrison; Naishtat; Nevárez; Oliveira; Orr; Patrick; Perez; Pickett; Pitts; Raney; Ratliff; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheets; Sheffield, J.; Smith; Stephenson; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Wu; Zedler; Zerwas.

Nays — Anderson; Ashby; Bell; Bohac; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Creighton; Crownover; Davis, S.; Fallon; Frank; Goldman; Gooden; Guillen; Herrero; Huberty; Hughes; Isaac; Johnson; King, P.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Leach; Longoria; Lozano; Miller, R.; Moody; Muñoz; Murphy; Otto; Paddie; Parker; Perry; Phillips; Price; Raymond; Sanford; Schaefer; Sheffield, R.; Simmons; Simpson; Smithee; Springer; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Workman.

Present, not voting — Mr. Speaker; Bonnen, D.; Harper-Brown(C); King, T.

Absent, Excused — Hilderbran; Menéndez.

Absent — Hunter.

STATEMENTS OF VOTE

When Record No. 988 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. 988. I intended to vote no.

C. Turner

REASONS FOR VOTE

I voted in favor of the motion to table because there was insufficient information provided to the members of the house of representatives at the time of the vote as to how this change would impact current qualified retirees.

Laubenberg and Sheets

Amendment No. 3

Representative Cook offered the following amendment to **SB 1459**:

Amend **SB 1459** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION _____. Subchapter A, Chapter 815, Government Code, is amended by adding Section 815.005 to read as follows:

Sec. 815.005. SUNSET PROVISION. The board of trustees of the Employees Retirement System of Texas is subject to review under Chapter 325 (Texas Sunset Act), but is not abolished under that chapter. The board shall be reviewed during the period in which state agencies abolished in 2015, and every 12th year after that year, are reviewed.

Amendment No. 3 was withdrawn.

Amendment No. 4

Representative C. Turner offered the following amendment to **SB 1459**:

Amend **SB 1459** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 814.104, Government Code, is amended by amending Subsections (a) and (d) and adding Subsection (e) to read as follows:

(a) Except as provided by Subsections [Subsection] (d) and (e) of this section, Section 814.102, or by rule adopted under Section 813.304(d) or 803.202(a)(2), a member who has service credit in the retirement system is eligible to retire and receive a service retirement annuity if the member:

(1) is at least 60 years old and has at least 5 years of service credit in the employee class; or

(2) has at least 5 years of service credit in the employee class and the sum of the member's age and amount of service credit in the employee class, including months of age and credit, equals or exceeds the number 80.

(d) Except as provided by Subsection (e) of this section, Section 814.102, or by rule adopted under Section 813.304(d) or 803.202(a)(2), a member who was not a member on the date hired, was hired on or after September 1, 2009, and has service credit in the retirement system is eligible to retire and receive a service retirement annuity if the member:

(1) is at least 65 years old and has at least 10 years of service credit in the employee class; or

(2) has at least 10 years of service credit in the employee class and the sum of the member's age and amount of service credit in the employee class, including months of age and credit, equals or exceeds the number 80.

(e) A member who takes the oath of office for a position included in the elected class of membership, other than a district attorney or criminal district attorney, is not eligible to retire and receive a service retirement annuity under this section that is based on service credit transferred to the employee class from the elected class under Section 813.503 until the member no longer holds that position. This provision does not prohibit a member from retiring and receiving a

service retirement annuity under this section that is based on service credit earned in a position included in the employee class of membership under Section 812.003.

SECTION _____. Section 813.503, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Subject to Subsection (a-1), a [A] member may establish in, or have transferred to, the employee class all service credited in the elected class, if the contributions made to establish the service in the elected class equal or exceed contributions required of a member of the employee class for the same amount of service during the same time and at the same rate of compensation. Subject to Subsection (a-1), a [A] member or retiree who has, or had at the time of retirement, at least eight years of service credit in the elected class of membership, exclusive of military service, may transfer service credit between classes before or after retirement.

(a-1) A member or retiree who takes the oath of office for a position included in the elected class of membership, other than a district attorney or criminal district attorney, may not transfer service to the employee class under Subsection (a) until the person no longer holds that position.

SECTION _____. Sections 813.503 and 814.104, Government Code, as amended by this Act, apply only to a person who takes the oath of office for a position included in the elected class of membership under Section 812.002, Government Code, on or after the effective date of this Act.

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative Herrero offered the following amendment to **SB 1459**:

Amend **SB 1459** on page 12, by striking lines 16-25, and renumbering the SECTIONS of the bill accordingly.

Amendment No. 5 was withdrawn.

SB 1459 was passed to third reading.

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).

CSSB 16 ON SECOND READING (Pitts - House Sponsor)

CSSB 16, A bill to be entitled An Act relating to authorizing the issuance of revenue bonds to fund capital projects at public institutions of higher education.

Representative Guillen moved to postpone consideration of **CSSB 16** until 4:45 p.m. today.

The motion prevailed.

POSTPONED BUSINESS

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

SB 1430 ON THIRD READING
(Herrero - House Sponsor)

SB 1430, A bill to be entitled An Act relating to the applicability of certain public works contracting requirements.

SB 1430 was read third time earlier today, amendments were offered and disposed of, and **SB 1430** was postponed until this time.

SB 1430 was passed by (Record 989): 146 Yeas, 0 Nays, 2 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; 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; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Hilderbran; Menéndez.

SB 1596 ON THIRD READING
(E. Rodriguez - House Sponsor)

SB 1596, A bill to be entitled An Act relating to the annexation by a municipality of territory of an emergency services district.

SB 1596 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representatives E. Rodriguez, Hunter, and Herrero offered the following amendment to **SB 1596**:

Amend **SB 1596** on third reading by striking Sec. 43.037, Local Government Code, as added by House Floor Amendment No. 2 by Lozano, and renumbering subsequent SECTIONS of the bill accordingly.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Springer offered the following amendment to **SB 1596**:

Amend **SB 1596** on third reading as follows:

(1) On page 2, line 10 (house committee printing), between "Subsections" and "(p)" add "(f-1),".

(2) On page 3, between lines 4 and 5 (house committee printing), insert:

(f-1) Subsections (f)(4), (f)(5), and (p) do not require a change in the type of fire department employees that provide services to an area that is part of a district that is annexed by a municipality. A municipality may determine the status of fire department employees that provide services in the area in its regular course of business.

Amendment No. 2 was adopted.

SB 1596, as amended, was passed by (Record 990): 139 Yeas, 0 Nays, 2 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; 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; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Hughes; Hunter; Isaac; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; Leach; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; 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; Strama; Taylor; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; White; Workman; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Harper-Brown(C).

Absent, Excused — Hilderbran; Menéndez.

Absent — Coleman; Huberty; Klick; Krause; Martinez Fischer; Stickland; Turner, E.S.

STATEMENTS OF VOTE

When Record No. 990 was taken, I was temporarily out of the house chamber. I would have voted yes.

Huberty

When Record No. 990 was taken, my vote failed to register. I would have voted yes.

Stickland

When Record No. 990 was taken, I was in the house but away from my desk. I would have voted yes.

E. S. Turner

SB 1596 - STATEMENT OF LEGISLATIVE INTENT

SB 1596 is bracketed to effect an emergency services district in Austin. I attached an amendment on second reading that is bracketed to San Patricio County and the city of Corpus Christi. The amendment, if germane, would require the city of Corpus Christi to get the approval from the San Patricio County Commissioner's Court before Corpus Christi could annex into San Patricio County. However, it now appears that my amendment may be in violation of germaneness rules and compromise the entire bill. As a result, in consultation with San Patricio County, we have agreed to remove the amendment. However, I still believe that any annexation by the city of Corpus Christi needs to have incorporation of San Patricio County, if that ever were to occur.

Lozano

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. 31).

(Hilderbran now present)

MAJOR STATE CALENDAR (consideration continued)

CSSB 219 ON SECOND READING (D. Bonnen - House Sponsor)

CSSB 219, A bill to be entitled An Act relating to ethics of public servants, including the functions and duties of the Texas Ethics Commission; the regulation of political contributions, political advertising, lobbying, and conduct of public servants; and the reporting of political contributions and expenditures and personal financial information; providing civil and criminal penalties.

Amendment No. 1

Representative D. Bonnen offered the following amendment to **CSSB 219**:
Floor Packet Page No. 2

Amend **CSSB 219** (house committee printing) as follows:

(1) On page 25, between lines 4 and 5, insert the following new subsection:

(g) If an inquiry is finally resolved under this section, the commission shall provide the complainant a copy of the decision stating the panel's determination and the resolution of the inquiry.

(2) On page 56, line 27, strike "and" and substitute "or".

Amendment No. 1 was adopted.

Amendment No. 2

Representative D. Bonnen offered the following amendment to **CSSB 219**:
Floor Packet Page No. 3

Amend **CSSB 219** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumbering remaining SECTIONS of that ARTICLE accordingly:

SECTION 4. _____. Subchapter B, Chapter 253, Election Code, is amended by adding Section 253.044 to read as follows:

Sec. 253.044. AUTOMATIC RESIGNATION FROM CERTAIN OFFICES. (a) In this section, "railroad commissioner" means a member of the Railroad Commission of Texas.

(b) If a person who is a railroad commissioner announces the person's candidacy, or in fact becomes a candidate, in any general, special, or primary election for any elective office other than the office of railroad commissioner, that announcement or that candidacy constitutes an automatic resignation of the office of railroad commissioner.

(Speaker in the chair)

Amendment No. 2 was adopted by (Record 991): 90 Yeas, 51 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Ashby; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burnam; Canales; Capriglione; Clardy; Cook; Cortez; Davis, J.; Deshotel; Dukes; Dutton; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Geren; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, K.; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; McClendon; Miles; Miller, R.; Moody; Muñoz; Murphy; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Perez; Price; Ratliff; Raymond; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Sheets; Sheffield, J.; Simpson; Stephenson; Thompson, E.; Toth; Turner, C.; Turner, E.S.; Villarreal; Vo; Walle; White; Workman; Wu.

Nays — Alvarado; Aycock; Bell; Burkett; Button; Callegari; Carter; Coleman; Collier; Craddick; Creighton; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Eiland; Farney; Frank; Giddings; Hughes; Isaac; King, P.; King, S.; King, T.; Kleinschmidt; Klick; Lewis; Martinez Fischer; Morrison; Parker; Patrick; Perry; Phillips; Raney; Reynolds; Rose; Schaefer; Sheffield, R.; Simmons; Smith; Smithee; Springer; Stickland; Strama; Taylor; Thompson, S.; Turner, S.; Villalba; Zedler; Zerwas.

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

Absent, Excused — Menéndez.

Absent — Fallon; Harper-Brown; Miller, D.; Pickett; Pitts.

STATEMENTS OF VOTE

When Record No. 991 was taken, I was in the house but away from my desk. I would have voted yes.

Fallon

I was shown voting no on Record No. 991. I intended to vote yes.

Farney

I was shown voting no on Record No. 991. I intended to vote yes.

Springer

Amendment No. 3

Representatives Taylor and Eiland offered the following amendment to **CSSB 219**:

Floor Packet Page No. 4

Amend **CSSB 219** (house committee printing) in ARTICLE 2 of the bill by striking SECTION 2.27 on page 26, line 5, through page 27, line 10, and renumbering subsequent SECTIONS of the ARTICLE accordingly.

Amendment No. 3 was adopted.

Amendment No. 4

Representative J. Rodriguez offered the following amendment to **CSSB 219**:
Floor Packet Page No. 5

Amend **CSSB 219** (house committee report) by adding the following appropriately numbered SECTIONS to ARTICLE 4 of the bill and renumbering remaining SECTIONS of that ARTICLE accordingly:

SECTION 4.____. Section 251.001, Election Code, is amended by adding Subdivision (21) to read as follows:

(21) "In-kind contribution" means a contribution of goods, services, or any other thing of value, except money.

SECTION 4.____. Subsection (a), Section 254.031, Election Code, is amended to read as follows:

(a) Except as otherwise provided by this chapter, each report filed under this chapter must include:

(1) the amount of political contributions, not including in-kind contributions, from each person that in the aggregate exceed \$50 and that are accepted during the reporting period by the person or committee required to file a report under this chapter, the full name and address of the person making the contributions, and the dates of the contributions;

(2) the amount of loans that are made during the reporting period for campaign or officeholder purposes to the person or committee required to file the report and that in the aggregate exceed \$50, the dates the loans are made, the interest rate, the maturity date, the type of collateral for the loans, if any, the full name and address of the person or financial institution making the loans, the full name and address, principal occupation, and name of the employer of each

guarantor of the loans, the amount of the loans guaranteed by each guarantor, and the aggregate principal amount of all outstanding loans as of the last day of the reporting period;

(3) the amount of political expenditures that in the aggregate exceed \$100 and that are made during the reporting period, the full name and address of the persons to whom the expenditures are made, and the dates and purposes of the expenditures;

(4) the amount of each payment made during the reporting period from a political contribution if the payment is not a political expenditure, the full name and address of the person to whom the payment is made, and the date and purpose of the payment;

(5) the total amount or a specific listing of the political contributions, not including in-kind contributions, of \$50 or less accepted and the total amount or a specific listing of the political expenditures of \$100 or less made during the reporting period;

(6) the total amount of all political contributions, not including in-kind contributions, accepted and the total amount of all political expenditures made during the reporting period;

(7) the name of each candidate or officeholder who benefits from a direct campaign expenditure made during the reporting period by the person or committee required to file the report, and the office sought or held, excluding a direct campaign expenditure that is made by the principal political committee of a political party on behalf of a slate of two or more nominees of that party;

(8) as of the last day of a reporting period for which the person is required to file a report, the total amount of political contributions accepted, including interest or other income on those contributions, maintained in one or more accounts in which political contributions are deposited as of the last day of the reporting period;

(9) any credit, interest, rebate, refund, reimbursement, or return of a deposit fee resulting from the use of a political contribution or an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds \$100;

(10) any proceeds of the sale of an asset purchased with a political contribution that is received during the reporting period and the amount of which exceeds \$100;

(11) any investment purchased with a political contribution that is received during the reporting period and the amount of which exceeds \$100;

(12) any other gain from a political contribution that is received during the reporting period and the amount of which exceeds \$100; ~~and~~

(13) the full name and address of each person from whom an amount described by Subdivision (9), (10), (11), or (12) is received, the date the amount is received, and the purpose for which the amount is received; and

(14) on a separate schedule:

(A) the amount of in-kind political contributions from each person that in the aggregate exceed \$50 and that are used or expended during the reporting period and the date and purpose of such use or expenditure; and

(B) the total amount of all in-kind contributions accepted during the reporting period.

Amendment No. 5

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

Amend Amendment No. 4 by J. Rodriguez to **CSSB 219** as follows:

(1) On page 1 of the amendment, line 5, between "by" and "adding", insert "amending Subdivision (16) and".

(2) On page 1 of the amendment, between lines 5 and 6, insert the following:

(16) "Political advertising" means a communication supporting or opposing a candidate for nomination or election to a public office or office of a political party, a political party, a public officer, or a measure that:

(A) in return for consideration, is published in a newspaper, magazine, or other periodical or is broadcast by radio or television; [~~or~~]

(B) is transmitted by an automated dial announcing device, as defined by Section 55.121, Utilities Code; or

(C) appears:

(i) in a pamphlet, circular, flier, billboard or other sign, bumper sticker, or similar form of written communication; or

(ii) on an Internet website.

Amendment No. 5 was adopted.

Amendment No. 4, as amended, was adopted.

Amendment No. 6

Representative Howard offered the following amendment to **CSSB 219**:
Floor Packet Page No. 9

Amend **CSSB 219** (house committee printing), in ARTICLE 3 of the bill, as follows:

(1) On page 39, line 27, strike "amending Subsection (a-1) and adding Subsection (a-2)" and substitute "amending Subsections (a), (a-1), and (c) and adding Subsections (a-2) and (a-3)".

(2) On page 40, between lines 1 and 2, insert the following:

(a) Financial statements filed under this subchapter are public records. The commission shall maintain the statements in separate alphabetical files and in a manner that is accessible to the public during regular office hours and make the statements available to the public on the commission's Internet website.

(3) On page 40, between lines 15 and 16, insert the following:

(a-3) The commission shall remove the home address of an individual from a financial statement filed by the individual under this subchapter before making the statement available to the public on the commission's Internet website.

(c) After the second anniversary of the date the individual ceases to be a state officer, the commission may and on notification from the former state officer shall:

(1) destroy each financial statement filed by the state officer; and
(2) remove each financial statement filed by the state officer from the commission's Internet website.

(4) Add the following appropriately numbered SECTIONS and renumber subsequent SECTIONS accordingly:

SECTION 3.____. Section 145.007, Local Government Code, is amended by adding Subsection (d) to read as follows:

(d) If a municipality makes financial statements filed under this chapter available to the public on the municipality's Internet website, the clerk or secretary of the municipality shall remove the home address of an individual filing a statement before making the statement available on the website.

SECTION 3.____. Section 159.007, Local Government Code, is amended by adding Subsection (d) to read as follows:

(d) If a county makes financial statements filed under this subchapter available to the public on the county's Internet website, the county clerk shall remove the home address of an individual filing a statement before making the statement available on the website.

SECTION 3.____. Subchapter B, Chapter 159, Local Government Code, is amended by adding Section 159.0341 to read as follows:

Sec. 159.0341. REDACTION OF INFORMATION FROM REPORTS AVAILABLE TO PUBLIC ON INTERNET. If a county makes reports filed under this subchapter available to the public on the county's Internet website, the authority with whom the report is filed shall remove the home address of an individual filing a report before making the report available on the website.

SECTION 3.____. Section 159.055, Local Government Code, is amended by adding Subsection (e) to read as follows:

(e) If a county makes financial statements filed under this subchapter available to the public on the county's Internet website, the county clerk shall remove the home address of an individual filing a statement before making the statement available on the website.

SECTION 3.____. As soon as practicable after the effective date of this Act, the Texas Ethics Commission shall make the financial statements filed under Subchapter B, Chapter 572, Government Code, available on the commission's Internet website, as provided by the changes in law made by this article.

Amendment No. 6 was adopted.

Amendment No. 7

Representative C. Turner offered the following amendment to **CSSB 219**:
Floor Packet Page No. 13

Amend **CSSB 219** (house committee report) by adding the following appropriately numbered SECTIONS to ARTICLE 4 of the bill and renumbering remaining SECTIONS of that ARTICLE accordingly:

SECTION 4.____. The heading to Section 253.037, Election Code, is amended to read as follows:

Sec. 253.037. RESTRICTIONS ON CONTRIBUTION OR EXPENDITURE BY POLITICAL [~~GENERAL PURPOSE~~] COMMITTEE.

SECTION 4. _____. Section 253.037(a), Election Code, is amended to read as follows:

(a) A political [~~general purpose~~] committee may not knowingly make or authorize a political contribution or political expenditure unless the committee has:

(1) filed its campaign treasurer appointment not later than the 60th day before the date the contribution or expenditure is made; and

(2) accepted political contributions from at least 10 persons.

SECTION 4. _____. Subchapter E, Chapter 254, Election Code, is amended by adding Sections 254.1241 through 254.1244 to read as follows:

Sec. 254.1241. OPTION TO FILE MONTHLY; NOTICE. (a) As an alternative to filing reports under Sections 254.123 and 254.124, a specific-purpose committee may file monthly reports.

(b) To be entitled to file monthly reports, the committee must deliver written notice of the committee's intent to file monthly to the authority with whom the committee's reports are required to be filed under this subchapter not earlier than January 1 or later than January 15 of the year in which the committee intends to file monthly. The notice for a committee formed after January 15 must be delivered at the time the committee's campaign treasurer appointment is filed.

(c) A committee that files monthly reports may revert to the regular filing schedule prescribed by Sections 254.123 and 254.124 by delivering written notice of the committee's intent not earlier than January 1 or later than January 15 of the year in which the committee intends to revert to the regular reporting schedule. The notice must include a report of all political contributions accepted and all political expenditures made that were not previously reported.

Sec. 254.1242. CONTENTS OF MONTHLY REPORTS. Each monthly report filed under this subchapter must comply with Sections 254.031 and 254.121 except that the maximum amount of a political contribution, expenditure, or loan that is not required to be individually reported is \$10 in the aggregate.

Sec. 254.1243. MONTHLY REPORTING SCHEDULE. (a) The campaign treasurer of a specific-purpose committee filing monthly reports shall file a report not later than the 10th day of the month following the period covered by the report. A report covering the month preceding an election in which the committee is involved must be received by the authority with whom the report is required to be filed not later than the 10th day of the month following the period covered by the report.

(b) A monthly report covers the period beginning the first calendar day of each month and continuing through the last calendar day of the following month.

Sec. 254.1244. EXCEPTION TO MONTHLY REPORTING SCHEDULE. If the campaign treasurer appointment of a specific-purpose committee filing monthly reports is filed after January 1 of the year in which monthly reports are filed, the period covered by the first monthly report begins the day the appointment is filed and continues through the last calendar day of the month in

which the appointment is filed unless the appointment is filed the last calendar day of the month. In that case, the period continues through the last calendar day of the month following the month in which the appointment is filed.

SECTION 4. _____. Section 253.037(a), Election Code, as amended by this article, applies only to a political contribution or political expenditure made on or after September 1, 2013. A contribution or expenditure made before September 1, 2013, is governed by the law in effect on the date the contribution or expenditure was made, and the former law is continued in effect for that purpose.

SECTION 4. _____. The changes in law made by Sections 254.1241 through 254.1244, Election Code, as added by this article, apply only to a report of political contributions and expenditures that is required to be filed on or after September 1, 2013. A report of contributions and expenditures that is required to be filed before September 1, 2013, is governed by the law in effect on the date the report is required to be filed, and the former law is continued in effect for that purpose.

Amendment No. 8

Representative C. Turner offered the following amendment to Amendment No. 7:

Amend Amendment No. 7 to **CSSB 219** by C. Turner as follows:

(1) On page 1, line 21, through page 2, line 10, strike added Section 254.1241, Election Code.

(2) On page 3, line 13, strike "Sections 254.1241" and substitute "Sections 254.1242".

Amendment No. 8 was adopted.

Amendment No. 7, as amended, was adopted.

Amendment No. 9

Representative Wu offered the following amendment to **CSSB 219**:
Floor Packet Page No. 17

Amend **CSSB 219**, in ARTICLE 4 of the bill, by adding the following appropriately numbered SECTION to that ARTICLE and renumbering the subsequent SECTIONS of the ARTICLE accordingly:

SECTION 4. _____. Subchapter B, Chapter 253, Election Code, is amended by adding Section 253.045 to read as follows:

Sec. 253.045. RESTRICTIONS ON CONTRIBUTIONS BY PARTIES IN CERTAIN CONTESTED CASES. (a) A person who holds a statewide elective office in the executive branch of state government may not knowingly accept a political contribution from a party in a contested case before the person during the period:

(1) beginning on the date notice of the hearing in the contested case is given; and

(2) ending on:

(A) the 30th day after the date the decision in the contested case is rendered; or

(B) if a request for rehearing is filed:

(i) the date the request is denied; or

(ii) the 30th day after the date the decision after rehearing is

rendered.

(b) The commission may adopt any rules necessary to implement this section, including rules that direct the secretary of state to maintain a list of the contested cases before the persons to whom this section applies and the parties in each case in order to aid those persons in complying with this section.

Amendment No. 9 was withdrawn.

Amendment No. 10

Representative Martinez Fischer offered the following amendment to **CSSB 219**:

Floor Packet Page No. 18

Amend **CSSB 219** (house committee printing) by inserting the following appropriately numbered SECTION to read as follows:

SECTION _____. Chapter 251, Election Code, is amended by adding Section 251.002A to read as follows:

Sec. 254.002A. APPLICABILITY OF TITLE. (a) This title applies to a entity that is not organized or operated as a church but that is organized or may avail itself of the provisions of Title 7, Business Organizations Code, or the applicable law of another state that:

(1) does not meet the definition of political committee under Section 251.001(12);

(2) accepts campaign contributions as defined under Section 251.001(3); and

(3) makes one or more direct campaign expenditures for express advocacy, excluding expenditures authorized by Sections 253.098, 253.099, 253.100, or 253.104, that in the aggregate exceed \$25,000 during a calendar year.

(b) As used in this section, "express advocacy" means advocacy that is authorized by a candidate, an agent of a candidate, or a political committee filing reports under this title.

Amendment No. 10 was withdrawn.

(Menéndez now present)

Amendment No. 11

Representative Wu offered the following amendment to **CSSB 219**:

Floor Packet Page No. 25

Amend **CSSB 219**, in ARTICLE 4 of the bill, by adding the following appropriately numbered SECTION to that ARTICLE and renumbering the subsequent SECTIONS of the ARTICLE accordingly:

SECTION 4. _____. Subchapter D, Chapter 254, Election Code, is amended by adding Section 254.098 to read as follows:

Sec. 254.098. REPORTING OF CERTAIN CONTRIBUTIONS BY CERTAIN OFFICEHOLDERS. A person who holds a statewide elective office in the executive branch of state government who receives a political contribution from a party with a case set for hearing before the person must report the contribution to the commission not later than 48 hours after the person receives the contribution.

Amendment No. 11 failed of adoption.

Amendment No. 12

Representative Geren offered the following amendment to **CSSB 219**:
Floor Packet Page No. 26

Amend **CSSB 219** by adding a new appropriately numbered SECTION to read as follows:

SECTION _____. Amend Section 254.261, Election Code, by adding subsections (e), (f), (g) and (h) to read as follows:

(e) Except as provided by other law, subsection (a) requires a non-profit corporation subject to Chapter 22, Business Organizations Code, to disclose each contribution any part of which is used to make a direct campaign expenditure in the same manner as if the contribution was a political contribution made to a general-purpose committee that does not file monthly reports under Section 254.155.

(f) A non-profit corporation described by subsection (e) is required to itemize a contribution under Section 254.031(a)(1) only if the amount contributed by a person exceeds, in the aggregate, \$1000 during the reporting period.

(g) Subsection (e) does not apply if the direct campaign expenditures made by the non-profit corporation, combined with the direct campaign expenditures made by each other entity required to be shown to be related to the non-profit corporation on the non-profit corporation's federal Internal Revenue Service Form 990, do not, in the aggregate, exceed \$25,000 in a calendar year.

(h) A contribution is not required to be disclosed under subsection (e) if the contribution is made with the express written agreement that the contribution will not be used, in whole or in part, to make a political contribution or a political expenditure. A contribution any part of which is actually used to make a political contribution or a political expenditure shall be disclosed as provided by subsection (e) notwithstanding that the contribution was made with an express written agreement that the contribution would not be used to make a political contribution or political expenditure.

Amendment No. 13

Representative Geren offered the following amendment to Amendment No. 12:

Amend the Geren amendment to **CSSB 219** (house committee printing) as follows:

- (1) On page 1, line 1, strike "by adding a" and substituting "as follows:
- (1) Insert the following".

(2) On page 1, strike lines 5-11 and substitute the following:

(e) Except as provided by other law, subsection (a) applies to a non-profit corporation subject to Chapter 22, Business Organizations Code, or the applicable law of another state, that makes a campaign expenditure in connection with an election under Chapter 302, Government Code.

(e-1) A non-profit corporation described by subsection (e) is required to disclose each contribution any part of which is used to make a direct campaign expenditure in the same manner as if the contribution was a political contribution made to a general-purpose committee that does not file monthly reports under Section 254.155.

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

(4) On page 1, line 23, strike "(e)" and substitute "(e-1)".

(5) On page 1, line 28, strike "(e)" and substitute "(e-1)".

(6) On page 2, after line 2, insert the following appropriately numbered subdivisions:

() Insert the following appropriately numbered SECTION:

SECTION _____. Subchapter B, Chapter 302, Government Code, is amended by amending Section 302.011 and adding Section 302.0151 to read as follows:

Sec. 302.011. DEFINITIONS. In this subchapter:

(1) "Speaker candidate" means a member of or candidate for the house of representatives who has announced his candidacy for or who by his actions, words, or deeds seeks election to the office of speaker of the house of representatives.

(2) "Campaign expenditure" means the expenditure by a person, regardless of the person's status as a speaker candidate, of money, or that person's [the] use of services or any other thing of value to aid or defeat the election of a speaker candidate.

(3) "Campaign funds" means the speaker candidate's personal funds that are devoted to the campaign for speaker and any money, services, or other things of value that are contributed or loaned to a [the] speaker candidate or other person to aid or defeat the election of a [for use in the candidate's campaign for] speaker candidate.

Sec. 302.0151. FILING REQUIREMENTS FOR PERSONS OTHER THAN SPEAKER CANDIDATES. (a) Except as provided by subsection (b), Sections 302.012, 302.013, and 302.014 apply to a person, including a non-profit corporation subject to Chapter 22, Business Organizations Code, or the applicable law of another state, in the same manner as a speaker candidate if the person makes one or more expenditures, in the aggregate, exceeding \$100 during any reporting period under Section 302.013(b).

(b) This section does not apply to a non-profit corporation that is organized or operated as a church.

(c) The commission shall adopt rules to implement this section.

() On page 60 of the bill, between line 9 and 10, insert the following appropriately numbered subdivisions:

() Section 302.017, Government Code;

() Section 302.019, Government Code;

Amendment No. 13 was adopted.

Amendment No. 12, as amended, was adopted by (Record 992): 117 Yeas, 27 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bonnen, D.; Bonnen, G.; Branch; Burkett; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, K.; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Larson; Lavender; 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; Patrick; Perez; Perry; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Strama; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Bell; Carter; Creighton; Elkins; Fletcher; Flynn; Hilderbran; Hughes; Isaac; Kleinschmidt; Klick; Krause; Laubenberg; Leach; Parker; Phillips; Sanford; Schaefer; Sheets; Springer; Stephenson; Stickland; Taylor; Toth; Turner, E.S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent — Bohac; Riddle; Sheffield, J.; Thompson, E.; Thompson, S.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 992. I intended to vote no.

Goldman

I was shown voting yes on Record No. 992. I intended to vote no.

Gooden

I was shown voting yes on Record No. 992. I intended to vote no.

Perry

I was shown voting yes on Record No. 992. I intended to vote no.

Workman

Amendment No. 14

Representative Geren offered the following amendment to **CSSB 219**:

Floor Packet Page No. 28

Amend **CSSB 219** as follows:

(1) On page 53, line 15, insert the following SECTION to read as follows:

"SECTION 4.15 Chapter 254, Election Code, is amended by adding Section 254.2611 as follows:

Sec. 254.2611. CERTAIN NONPROFIT MEMBERSHIP ASSOCIATIONS NOT ACTING IN CONCERT. A person is not considered to be acting in concert for purposes of this section if the person:

(a) is a non-profit membership association subject to Subchapter D, Chapter 253 of the Election Code,

(b) is part of a multi-tiered local, state and national non-profit membership association structure, and

(c) communicates with any entity within the multi-tiered association structure to make a direct campaign expenditure in this state.

(2) Renumber remaining SECTIONS accordingly.

Amendment No. 15

Representative Geren offered the following amendment to Amendment No. 14:

Amend Floor Amendment No. 14 by Geren to **CSSB 219**, on page 1, line 7, by striking "this section" and substituting "Section 254.261".

Amendment No. 15 was adopted.

Amendment No. 14, as amended, was adopted.

Amendment No. 16

Representative Geren offered the following amendment to **CSSB 219**:
Floor Packet Page No. 29

Amend **CSSB 219** (house committee printing), in ARTICLE 4 of the bill, by adding the following appropriately numbered SECTION to that ARTICLE and renumbering any subsequent SECTIONS of the ARTICLE accordingly:

SECTION 4.____. Subchapter J, Chapter 254, Election Code, is amended by adding Section 254.263 to read as follows:

Sec. 254.263. APPLICABILITY OF PRIVILEGE TO CERTAIN PERSONS MAKING DIRECT CAMPAIGN EXPENDITURES. The privilege established under Subchapter C, Chapter 22, Civil Practice and Remedies Code, does not apply to:

(1) a person who is required to file a report under Section 254.261, controls a political committee or makes political expenditures described by Section 253.100(a);

(2) a person who is required to be disclosed on federal Internal Revenue Service Form 990 as an entity related to a person described by Subdivision (1); or

(3) a person who is an employee or contractor of, who acts under the control of, or who acts on behalf of a person described by Subdivision (1) or (2).

Amendment No. 17

Representative K. King offered the following amendment to Amendment No. 16:

Amend the Geren amendment by adding a new appropriately numbered section to read as follows:

Section _____. Notwithstanding SECTION 7.01 of this Act, the change in law made by this Act to Subchapter J, Chapter 254, Election Code, takes effect immediately if this Act 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, the change in law made by this Act to Subchapter J, Chapter 254, Election Code, takes effect September 1, 2013.

Amendment No. 17 was adopted.

Amendment No. 16, as amended, was adopted by (Record 993): 102 Yeas, 42 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Ashby; Aycock; Bonnen, D.; Burnam; Button; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Craddick; Crownover; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Frullo; Geren; Giddings; Gonzales; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Howard; Huberty; Hunter; Johnson; Kacal; Keffer; King, K.; King, T.; Kuempel; Larson; Lewis; Longoria; Lozano; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Miller, D.; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Orr; Otto; Paddie; Patrick; Perez; Pickett; Pitts; Price; Raney; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, R.; Simpson; Smith; Smithee; Strama; Toth; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Bell; Bohac; Bonnen, G.; Branch; Burkett; Carter; Creighton; Elkins; Fletcher; Flynn; Frank; Goldman; Gooden; Hilderbran; Hughes; Isaac; King, P.; Kleinschmidt; Klick; Kolkhorst; Krause; Laubenberg; Lavender; Leach; Miller, R.; Morrison; Murphy; Parker; Perry; Phillips; Sanford; Schaefer; Sheets; Sheffield, J.; Simmons; Springer; Stephenson; Stickland; Taylor; Turner, E.S.; White; Zedler.

Present, not voting — Mr. Speaker(C).

Absent — Anderson; King, S.; Thompson, E.; Thompson, S.; Villalba.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 993. I intended to vote no.

Hunter

When Record No. 993 was taken, I was temporarily out of the house chamber. I would have voted yes.

S. King

Amendment No. 18

Representative Capriglione offered the following amendment to **CSSB 219**:

Floor Packet Page No. 30

Amend **CSSB 219** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumbering subsequent SECTIONS of that ARTICLE accordingly:

SECTION 4.____. Section 255.001, Election Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) The disclosure required by Subsection (a) must:

(1) be printed in 14-point font or larger, if the advertisement is in printed form; or

(2) appear in letters that are at least five percent of the vertical screen height, for an advertisement that appears on a screen.

Amendment No. 18 was withdrawn.

Amendment No. 19

Representative Johnson offered the following amendment to **CSSB 219**:

Floor Packet Page No. 31

Amend **SB 219** (introduced version) by adding the following appropriately numbered Section to Article 4 of the bill and renumbering subsequent sections of that article appropriately:

SECTION 4.____. Chapter 255, Election Code, is amended by adding Section 255.009 to read as follows:

Sec. 255.009. REQUIRED DISCLOSURE ON CERTAIN ELECTIONEERING COMMUNICATIONS. (a) In this section, "electioneering communication" means a communication that if taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidates or ballot measures.

(b) An electioneering communication made by a nonprofit corporation shall disclose in the communication the source of the funds used to pay for the communication.

Amendment No. 20

Representative Johnson offered the following amendment to Amendment No. 19:

Amend Amendment No. 19 by Johnson to **CSSB 219** as follows:

(1) On page 1 of the amendment, line 1, strike "**SB 219** (introduced version)" and substitute "**CSSB 219** (house committee printing)".

(2) On page 1 of the amendment, strike lines 8-14 and substitute the following:

"electioneering communication" means a direct campaign expenditure that is:

(1) a communication that is the functional equivalent of express advocacy, and that when taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidate because:

(A) the electoral portion of the communication is unmistakable, unambiguous, and suggestive of only one meaning; and

(B) reasonable minds could not differ as to whether it encourages actions to elect or defeat one or more clearly identified candidates; or

(2) a communication that:

(A) is disseminated by a broadcast, cable, or satellite communication, a mass mailing, or a telephone bank;

(B) refers to a clearly identified candidate;

(C) is publicly distributed on or after:

(i) the 60th day before a general, special, or runoff election for the individual candidate; or

(ii) the 30th day before a primary election; and

(D) is targeted to the identified candidate's relevant electorate, which is defined as a communication that can be received over a 30 day period by at least the lesser of:

(i) 50,000 people; or

(ii) two percent of those eligible to vote for the candidate, as specified by the secretary of state as of January 1 of the year in question.

(b) An "electioneering communication" does not include a direct campaign expenditure that is:

(1) a public communication that refers to a clearly identified candidate appearing in a news story, commentary, editorial, or work intended for entertainment distributed through the facilities of a bona fide broadcasting station, newspaper, magazine, or other publication, unless those facilities are owned or controlled by a political party, political committee, or candidate;

(2) a communication to the restricted class of the corporation or labor organization making the communication as provided by Section 253.098;

(3) a communication that constitutes a bona fide candidate debate or forum, or that solely promotes a debate or forum, and is made by or on behalf of the person sponsoring the debate or forum; or

(4) any other communication exempted under regulations adopted by the commission consistent with the requirements of this definition and to ensure the appropriate implementation of this subsection.

(c) A person may not knowingly cause to be published, distributed, or broadcast an electioneering communication that does not indicate on the face of the communication the source of the

Amendment No. 20 was adopted.

(Ritter in the chair)

Amendment No. 19, as amended, was adopted.

Amendment No. 21

On behalf of Representative Johnson, Representative D. Bonnen offered the following amendment to **CSSB 219**:

Floor Packet Page No. 32

Amend **CSSB 219** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 4 of the bill and renumbering subsequent SECTIONS of ARTICLE 4 accordingly:

SECTION 4.____. Section 257.003, Election Code, is amended by amending Subsection (a) and adding Subsection (e) to read as follows:

(a) A political party that accepts contributions authorized by Section 253.104 shall report all contributions and expenditures made to and from the account required by Section 257.002, except as provided by Subsection (e).

(e) A county executive committee of a political party is not required to file a report under this section if the committee:

(1) has less than \$250 in one or more accounts maintained by the committee in which contributions authorized by Section 253.104 are deposited, as of the last day of the preceding reporting period;

(2) has not accepted any contributions authorized by Section 253.104 during the reporting period to be covered by the report; and

(3) has not made an expenditure from contributions authorized by Section 253.104 during the reporting period to be covered by the report.

Amendment No. 21 was adopted.

Amendment No. 22

Representative Fallon offered the following amendment to **CSSB 219**:

Floor Packet Page No. 40

Amend **CSSB 219** (house committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE ____ . PROSECUTION BY ATTORNEY GENERAL OF ETHICS-RELATED OFFENSES

SECTION ____ .01. Effective January 1, 2014, Chapter 402, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PUBLIC INTEGRITY UNIT

Sec. 402.101. DEFINITIONS. In this subchapter:

(1) "Offense" means a prohibited act for which state law imposes a criminal or civil penalty.

(2) "Prosecute" means represent the state to impose a criminal or civil penalty.

(3) "Prosecuting attorney" means a district attorney, criminal district attorney, or county attorney.

Sec. 402.102. OFFENSES AGAINST PUBLIC ADMINISTRATION. For purposes of this subchapter, the following are offenses against public administration:

(1) an offense under Title 8, Penal Code, committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment;

(2) an offense under Chapter 301, 302, 305, 571, 572, or 2004;

(3) an offense under Chapter 573 committed by a state officer in connection with the powers and duties of the state office; and

(4) an offense under Title 15, Election Code, committed in connection with:

(A) a campaign for or the holding of state office; or

(B) an election on a proposed constitutional amendment.

Sec. 402.103. OFFENSES INVOLVING INSURANCE FRAUD. For purposes of this subchapter, the following are offenses involving insurance fraud:

(1) an offense under Chapter 35, Penal Code, including an offense under that chapter that involves workers' compensation insurance under Title 5, Labor Code; or

(2) a fraudulent insurance act as defined by Section 701.001, Insurance Code, including an act that involves workers' compensation insurance under Title 5, Labor Code.

Sec. 402.104. OFFENSES INVOLVING MOTOR FUELS TAX. For purposes of this subchapter, an offense involving motor fuels tax means a felony offense under Section 162.403, Tax Code.

Sec. 402.105. PUBLIC INTEGRITY UNIT. The public integrity unit is in the office of the attorney general.

Sec. 402.106. INVESTIGATION AND PROSECUTION BY PUBLIC INTEGRITY UNIT. (a) The public integrity unit has the authority to investigate whether a person has committed:

(1) an offense against public administration;

(2) an offense involving insurance fraud; or

(3) an offense involving motor fuels tax.

(b) The public integrity unit may, on request of the appropriate prosecuting attorney, assist in the prosecution of or prosecute an offense under this section.

(c) If assisting in a prosecution as provided by Subsection (b), the public integrity unit may exercise the powers as necessary to accomplish the assistance, and the prosecuting attorney retains the authority to represent the state in the district and inferior courts in the prosecution of the offense.

(d) The authority of the public integrity unit to investigate an offense under Subsection (a) does not preclude another person from conducting any investigation as authorized or required under other law.

Sec. 402.107. COOPERATION OF STATE AGENCIES AND LOCAL LAW ENFORCEMENT AGENCIES. (a) To the extent allowed by law, a state agency or local law enforcement agency shall cooperate with the public integrity unit by providing information requested by the unit as necessary to carry out the purposes of this subchapter.

(b) Information disclosed under this section is confidential and not subject to disclosure under Chapter 552.

Sec. 402.108. VENUE. Notwithstanding other law, venue for prosecution of an offense against public administration, an offense involving insurance fraud, or an offense involving motor fuels tax is in the county in which the offense is committed.

SECTION ____ .02. Effective January 1, 2014, Sections 301.027(b) and (c), Government Code, are amended to read as follows:

(b) If the president of the senate or speaker receives a report or statement of facts as provided by Subsection (a), the president of the senate or speaker shall certify the statement of facts to the public integrity unit of the office of the attorney general [Travis County district attorney] under the seal of the senate or house of representatives, as appropriate. The public integrity unit may conduct an investigation on receipt of the statement of facts under this subsection.

(c) If after conducting an investigation under Subsection (b) the public integrity unit accepts the statement of facts, the unit may provide the results of the investigation to the [The Travis County] district attorney or other prosecuting attorney of the county in which the offense is committed, who shall bring the matter before the grand jury for action. If the grand jury returns an indictment, the prosecuting [district] attorney shall prosecute the indictment or request that the attorney general prosecute the indictment.

SECTION ____ .03. Effective January 1, 2014, Section 402.009, Government Code, is amended to read as follows:

Sec. 402.009. **AUTHORITY TO EMPLOY AND COMMISSION PEACE OFFICERS.** The attorney general may employ and commission peace officers as investigators for:

(1) the limited purpose of assisting the attorney general in carrying out the duties of that office relating to prosecution assistance and crime prevention; or

(2) the purpose of investigating offenses against public administration, offenses involving insurance fraud, and offenses involving motor fuels tax prosecuted under Subchapter D.

SECTION ____ .04. (a) Not later than March 1, 2014, the attorney general shall establish the public integrity unit under Subchapter D, Chapter 402, Government Code, as added by this Act.

(b) Subchapter D, Chapter 402, Government Code, as added by this Act, applies only to the prosecution of an offense against public administration or an offense involving insurance fraud or motor fuels tax committed on or after April 1, 2014. For purposes of this section, an offense is committed before April 1, 2014, if any element of the offense occurs before that date.

(c) The prosecution of an offense committed before April 1, 2014, is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose, except that a county attorney, district attorney, or criminal district attorney may, on the request of the attorney general, permit the public integrity unit established under Subchapter D, Chapter 402, Government Code, as added by this Act, to assume the prosecution of the offense.

(d) On January 1, 2014, appropriations made by the 83rd Legislature to the Judiciary Section, Comptroller's Department, for purposes of the Public Integrity Unit, Travis County, are transferred to the office of the attorney general for purposes of the Public Integrity Unit under Subchapter D, Chapter 402, Government Code, as added by this Act.

Amendment No. 22 was withdrawn.

Amendment No. 23

Representative Fletcher offered the following amendment to **CSSB 219**:
Floor Packet Page No. 47

Amend **CSSB 219** (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE ____ CHANGING THE NAME OF THE TEXAS ETHICS
COMMISSION TO THE TEXAS COMPLIANCE COMMISSION

SECTION ____ .01. The heading to Chapter 571, Government Code, is amended to read as follows:

CHAPTER 571. TEXAS COMPLIANCE [~~ETHICS~~] COMMISSION

SECTION ____ .02. Section 571.002(1), Government Code, is amended to read as follows:

(1) "Commission" means the Texas Compliance [~~Ethics~~] Commission.

SECTION ____ .03. Subchapter A, Chapter 571, Government Code, is amended by adding Section 571.003 to read as follows:

Sec. 571.003. REFERENCE TO TEXAS ETHICS COMMISSION. A reference in law to the Texas Ethics Commission means the Texas Compliance Commission.

SECTION ____ .04. (a) Effective January 1, 2014:

(1) the name of the Texas Ethics Commission is changed to the Texas Compliance Commission, and all powers, duties, rights, and obligations of the Texas Ethics Commission are the powers, duties, rights, and obligations of the Texas Compliance Commission;

(2) a member of the Texas Ethics Commission is a member of the Texas Compliance Commission; and

(3) any appropriation to the Texas Ethics Commission is an appropriation to the Texas Compliance Commission.

(b) Effective January 1, 2014, a reference in law to the Texas Ethics Commission is a reference to the Texas Compliance Commission.

(c) The Texas Compliance Commission is the successor to the Texas Ethics Commission in all respects. All personnel, equipment, data, documents, facilities, contracts, items, other property, rules, decisions, and proceedings of or involving the Texas Ethics Commission are unaffected by the change in the name of the agency.

(d) The Texas Ethics Commission shall adopt a timetable for phasing in the change of the agency's name so as to minimize the fiscal impact of the name change. Until January 1, 2014, to allow for phasing in the change of the agency's name and in accordance with the timetable established as required by this section, the agency may perform any act authorized by law for the Texas Ethics Commission as the Texas Ethics Commission or as the Texas Compliance Commission. Any act of the Texas Ethics Commission acting as the Texas Compliance Commission on or after the effective date of this Act and before January 1, 2014, is an act of the Texas Ethics Commission.

Representative D. Bonnen moved to table Amendment No. 23.

The motion to table prevailed.

Amendment No. 24

Representative Johnson offered the following amendment to **CSSB 219**:
Floor Packet Page No. 49

Amend **CSSB 219** (house committee printing), in ARTICLE 1 of the bill, by adding the following appropriately numbered SECTION to that ARTICLE and renumbering any subsequent SECTIONS of the ARTICLE accordingly:

SECTION 1.____. Subchapter C, Chapter 571, Government Code, is amended by adding Section 571.0673 to read as follows:

Sec. 571.0673. RETRIEVAL AND RESETING OF PASSWORDS USED TO ACCESS ELECTRONIC FILING SOFTWARE. The commission shall ensure that any electronic filing software provided or approved by the commission contains a secure process through which a person using the software to file a report or statement with the commission may electronically retrieve or reset any password used by the person to access the software.

Amendment No. 24 was withdrawn.

Amendment No. 25

Representative Keffer offered the following amendment to **CSSB 219**:
Floor Packet Page No. 50

Amend **CSSB 219** as follows:

Section 571.136, Government Code, is amended to read as follows:

Sec. 571.136. DEADLINE FOR COMPLAINT RESOLUTION; EXTENSION OF DEADLINE. (a) The commission shall complete a preliminary review hearing regarding a complaint, including the commission's decision, within 120 days of the day the respondent is sent the information required by Section 571.123(b).

(b) Notwithstanding subsection (a), ~~The~~ the commission may, on its own motion or on the reasonable request of a respondent, extend any deadline for action relating to a sworn complaint, motion, preliminary review hearing, or formal hearing.

(c)(1) If a deadline under this chapter for an action related to a preliminary review hearing or a formal hearing is extended at the request of the respondent, Section 571.140(a) does not apply to any matter related to the complaint.

(2) If a deadline under this chapter for an action related to a preliminary review hearing or a formal hearing is extended by the commission due to the failure of the complainant to reasonably cooperate with the commission's processing of the complaint, the commission may dismiss the complaint.

(3) If a deadline under this chapter is extended on the commission's own motion, the extension shall be no longer than is required by the circumstances. The commission shall state the reason for the extension, including whether the extension is due to a dispute or uncertainty regarding the facts related to the alleged violation, the law applicable to the alleged violation or both the facts of

and the law applicable to the alleged violation. If the reason for the extension is related to the law applicable to the alleged violation, the commission shall state the nature of the legal issues that caused the commission to extend the deadline.

(d) Section 571.140(a) does not apply to a request for an extension of a deadline, the reasons for the granting or denial of an extension of a deadline or the dismissal of a complaint.

Amendment No. 25 was adopted.

Amendment No. 26

Representative C. Turner offered the following amendment to **CSSB 219**:
Floor Packet Page No. 52

Amend **CSSB 219** (house committee report) in Article 3 of the bill by inserting the following new SECTIONS, appropriately numbered, and renumbering the subsequent SECTIONS of Article 3 accordingly:

SECTION 3.____. Subsection (a), Section 572.022, Government Code, is amended to read as follows:

(a) If an amount in a financial statement is required to be reported by category, the individual filing the statement shall report whether the amount is:

- (1) less than \$200 [~~\$5,000~~];
- (2) at least \$200 [~~\$5,000~~] but less than \$1,000 [~~\$10,000~~];
- (3) at least \$1,000 [~~\$10,000~~] but less than \$2,500 [~~\$25,000~~];
- (4) at least \$2,500 but less than \$5,000;
- (5) at least \$5,000 but less than \$15,000;
- (6) at least \$15,000 but less than \$50,000;
- (7) at least \$50,000 but less than \$100,000;
- (8) at least \$100,000 but less than \$1,000,000;
- (9) at least \$1,000,000 but less than \$5,000,000; or
- (10) \$5,000,000 [~~(4) \$25,000~~] or more.

SECTION 3.____. Section 572.022, Government Code, as amended by this Act, applies only to a financial statement filed under Subchapter B, Chapter 572, Government Code, on or after January 1, 2015. A financial statement filed before January 1, 2015, is governed by the law in effect on the date of filing, and the former law is continued in effect for that purpose.

Amendment No. 26 was withdrawn.

Amendment No. 27

Representative P. King offered the following amendment to **CSSB 219**:
Floor Packet Page No. 57

Amend **CSSB 219** (house committee report) by adding the following appropriately numbered SECTION to Article 1 of the bill and renumbering subsequent SECTIONS of that article accordingly:

SECTION 1.____. Section 572.051, Government Code, is amended by adding Subsection (g) to read as follows:

(g) The commission shall develop, in consultation with the office of the attorney general, a plan for the transfer of the duties and responsibilities of the Public Integrity Unit of the Travis County district attorney's office to the office of the attorney general. The plan must include the disposition of funding currently dedicated to the Public Integrity Unit of the Travis County district attorney's office. The transfer of duties and responsibilities under the plan developed under this subsection shall occur not later than September 1, 2014.

Representative Geren moved to table Amendment No. 27.

The motion to table prevailed by (Record 994): 75 Yeas, 69 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Burnam; Callegari; Canales; Coleman; Collier; Cortez; Crownover; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Geren; Giddings; González, M.; Guerra; Guillen; Gutierrez; Harless; Hernandez Luna; Herrero; Howard; Huberty; Isaac; Johnson; Kacal; Keffer; King, K.; King, S.; King, T.; Kuempel; Longoria; Lozano; Lucio; Márquez; Martínez; Martínez Fischer; McClendon; Menéndez; Miles; Moody; Muñoz; Naishtat; Nevárez; Oliveira; Otto; Patrick; Perez; Pickett; Pitts; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Simpson; Smith; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Branch; Burkett; Button; Capriglione; Carter; Clardy; Craddick; Creighton; Dale; Darby; Davis, S.; Elkins; Fallon; Farney; Fletcher; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Harper-Brown; Hilderbran; Hughes; Hunter; King, P.; Kleinschmidt; Klick; Kolkhorst; Krause; Larson; Laubenberg; Lavender; Leach; Lewis; Miller, D.; Miller, R.; Morrison; Murphy; Orr; Parker; Perry; Phillips; Price; Riddle; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Smithee; Springer; Stephenson; Stickland; Taylor; Thompson, E.; Toth; Turner, E.S.; Villalba; White; Zedler.

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

Absent — Cook; Gonzalez, N.; Paddie; Ratliff.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 994. I intended to vote no.

Crownover

When Record No. 994 was taken, I was in the house but away from my desk. I would have voted no.

Paddie

I was shown voting no on Record No. 994. I intended to vote yes.

J. Sheffield

I was shown voting yes on Record No. 994. I intended to vote no.

Workman

Amendment No. 28

Representative P. King offered the following amendment to **CSSB 219**:
Floor Packet Page No. 46

Amend **CSSB 219** (house committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE ____ . STUDY REGARDING PUBLIC INTEGRITY UNIT

SECTION ____ .01. (a) The Texas Ethics Commission, in consultation with the Supreme Court of Texas and the Texas Court of Criminal Appeals, shall conduct a study to determine whether the law enforcement functions of the Public Integrity Unit of the district attorney for the 53rd Judicial District should be transferred to a law enforcement entity or agency to maintain separation of powers between the judicial and executive branches, prevent conflicts of interest, and ensure the administration of justice. The commission and courts shall also attempt to identify in the study any other organizations in this state having both prosecutorial and law enforcement functions.

(b) In conducting the study, the commission may make additional recommendations as the commission, in consultation with the courts, considers appropriate, including any recommendations for necessary changes in law to implement those recommendations.

SECTION ____ .02. The Texas Ethics Commission shall, not later than September 1, 2014, report the results of the study conducted under this article and any additional recommendations to the lieutenant governor, the speaker of the house of representatives, and the presiding officers of the standing committees of the senate and house of representatives with jurisdiction over attorneys and the judiciary.

SECTION ____ .03. This article expires December 31, 2014.

Amendment No. 28 was adopted.

Amendment No. 29

Representative Fallon offered the following amendment to **CSSB 219**:
Floor Packet Page No. 40

Amend **CSSB 219** (house committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE ____ . PROSECUTION BY ATTORNEY GENERAL OF
ETHICS-RELATED OFFENSES

SECTION ____ .01. Effective January 1, 2014, Chapter 402, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PUBLIC INTEGRITY UNIT

Sec. 402.101. DEFINITIONS. In this subchapter:

(1) "Offense" means a prohibited act for which state law imposes a criminal or civil penalty.

(2) "Prosecute" means represent the state to impose a criminal or civil penalty.

(3) "Prosecuting attorney" means a district attorney, criminal district attorney, or county attorney.

Sec. 402.102. OFFENSES AGAINST PUBLIC ADMINISTRATION. For purposes of this subchapter, the following are offenses against public administration:

(1) an offense under Title 8, Penal Code, committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment;

(2) an offense under Chapter 301, 302, 305, 571, 572, or 2004;

(3) an offense under Chapter 573 committed by a state officer in connection with the powers and duties of the state office; and

(4) an offense under Title 15, Election Code, committed in connection with:

(A) a campaign for or the holding of state office; or

(B) an election on a proposed constitutional amendment.

Sec. 402.103. OFFENSES INVOLVING INSURANCE FRAUD. For purposes of this subchapter, the following are offenses involving insurance fraud:

(1) an offense under Chapter 35, Penal Code, including an offense under that chapter that involves workers' compensation insurance under Title 5, Labor Code; or

(2) a fraudulent insurance act as defined by Section 701.001, Insurance Code, including an act that involves workers' compensation insurance under Title 5, Labor Code.

Sec. 402.104. OFFENSES INVOLVING MOTOR FUELS TAX. For purposes of this subchapter, an offense involving motor fuels tax means a felony offense under Section 162.403, Tax Code.

Sec. 402.105. PUBLIC INTEGRITY UNIT. The public integrity unit is in the office of the attorney general.

Sec. 402.106. INVESTIGATION AND PROSECUTION BY PUBLIC INTEGRITY UNIT. (a) The public integrity unit has the authority to investigate whether a person has committed:

(1) an offense against public administration;

(2) an offense involving insurance fraud; or

(3) an offense involving motor fuels tax.

(b) The public integrity unit may, on request of the appropriate prosecuting attorney, assist in the prosecution of or prosecute an offense under this section.

(c) If assisting in a prosecution as provided by Subsection (b), the public integrity unit may exercise the powers as necessary to accomplish the assistance, and the prosecuting attorney retains the authority to represent the state in the district and inferior courts in the prosecution of the offense.

(d) The authority of the public integrity unit to investigate an offense under Subsection (a) does not preclude another person from conducting any investigation as authorized or required under other law.

Sec. 402.107. COOPERATION OF STATE AGENCIES AND LOCAL LAW ENFORCEMENT AGENCIES. (a) To the extent allowed by law, a state agency or local law enforcement agency shall cooperate with the public integrity unit by providing information requested by the unit as necessary to carry out the purposes of this subchapter.

(b) Information disclosed under this section is confidential and not subject to disclosure under Chapter 552.

Sec. 402.108. VENUE. Notwithstanding other law, venue for prosecution of an offense against public administration, an offense involving insurance fraud, or an offense involving motor fuels tax is in the county in which the offense is committed.

SECTION _____.02. Effective January 1, 2014, Sections 301.027(b) and (c), Government Code, are amended to read as follows:

(b) If the president of the senate or speaker receives a report or statement of facts as provided by Subsection (a), the president of the senate or speaker shall certify the statement of facts to the public integrity unit of the office of the attorney general [~~Travis County district attorney~~] under the seal of the senate or house of representatives, as appropriate. The public integrity unit may conduct an investigation on receipt of the statement of facts under this subsection.

(c) If after conducting an investigation under Subsection (b) the public integrity unit accepts the statement of facts, the unit may provide the results of the investigation to the [~~The Travis County~~] district attorney or other prosecuting attorney of the county in which the offense is committed, who shall bring the matter before the grand jury for action. If the grand jury returns an indictment, the prosecuting [~~district~~] attorney shall prosecute the indictment or request that the attorney general prosecute the indictment.

SECTION _____.03. Effective January 1, 2014, Section 402.009, Government Code, is amended to read as follows:

Sec. 402.009. AUTHORITY TO EMPLOY AND COMMISSION PEACE OFFICERS. The attorney general may employ and commission peace officers as investigators for:

(1) the limited purpose of assisting the attorney general in carrying out the duties of that office relating to prosecution assistance and crime prevention; or

(2) the purpose of investigating offenses against public administration, offenses involving insurance fraud, and offenses involving motor fuels tax prosecuted under Subchapter D.

SECTION _____.04. (a) Not later than March 1, 2014, the attorney general shall establish the public integrity unit under Subchapter D, Chapter 402, Government Code, as added by this Act.

(b) Subchapter D, Chapter 402, Government Code, as added by this Act, applies only to the prosecution of an offense against public administration or an offense involving insurance fraud or motor fuels tax committed on or after April 1, 2014. For purposes of this section, an offense is committed before April 1, 2014, if any element of the offense occurs before that date.

(c) The prosecution of an offense committed before April 1, 2014, is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose, except that a county attorney, district attorney, or criminal district attorney may, on the request of the attorney general, permit the public integrity unit established under Subchapter D, Chapter 402, Government Code, as added by this Act, to assume the prosecution of the offense.

(d) On January 1, 2014, appropriations made by the 83rd Legislature to the Judiciary Section, Comptroller's Department, for purposes of the Public Integrity Unit, Travis County, are transferred to the office of the attorney general for purposes of the Public Integrity Unit under Subchapter D, Chapter 402, Government Code, as added by this Act.

Amendment No. 29 was withdrawn.

Amendment No. 30

Representative Capriglione offered the following amendment to **CSSB 219**:
Floor Packet Page No. 58

Amend **CSSB 219** (hosue committee report) by adding the following appropriately numbered SECTIONS to ARTICLE 3 of the bill and renumbering remaining SECTIONS of that ARTICLE accordingly:

SECTION 3. _____. Subchapter B, Chapter 572, Government Code, is amended by adding Section 572.0231 to read as follows:

Sec. 572.0231. CONTRACTS WITH GOVERNMENTAL ENTITIES.

(a) In this section, "governmental entity" means the state, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state.

(b) If the aggregate cost of goods or services sold under one or more written contracts described by this subdivision exceeds \$10,000 in the year covered by the report, an elected officer or a partisan or independent candidate for an office as an elected officer shall report on the financial statement an identification of each written contract, including the name of each party to the contract:

(1) for the sale of goods or services;

(2) in the amount of \$2,500 or more;

(3) with:

(i) a governmental entity; or

(ii) a person who contracts with a governmental entity, to fulfill one or more of the person's obligations to the governmental entity under that contract; and

(4) to which the individual, the individual's spouse, the individual's dependent child, or any business association of which the individual, the individual's spouse, or the individual's dependent child has at least a 50 percent ownership interest is a party.

SECTION 2. The change in law made by this Act applies only to a financial statement filed under Subchapter B, Chapter 572, Government Code, as amended by this Act, on or after January 1, 2015. A financial statement filed before January 1, 2015, is governed by the law in effect on the date of filing, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2013.

Amendment No. 30 was adopted by (Record 995): 82 Yeas, 52 Nays, 3 Present, not voting.

Yeas — Allen; Bonnen, D.; Bonnen, G.; Burkett; Canales; Capriglione; Carter; Cook; Crownover; Deshotel; Dutton; Eiland; Fallon; Farias; Farney; Farrar; Flynn; Geren; Giddings; Goldman; Gonzales; González, M.; Gonzalez, N.; Gooden; Guillen; Harless; Harper-Brown; Herrero; Hilderbran; Howard; Huberty; Hughes; Isaac; Johnson; King, P.; King, T.; Kleinschmidt; Klick; Kolkhorst; Krause; Kuempel; Larson; Laubenberg; Lavender; Leach; Longoria; Lozano; Márquez; Martinez; Menéndez; Miles; Moody; Naishtat; Oliveira; Orr; Otto; Paddie; Perez; Perry; Phillips; Pickett; Price; Raymond; Rose; Sanford; Schaefer; Sheets; Simmons; Simpson; Smithee; Springer; Stickland; Strama; Thompson, E.; Turner, C.; Turner, E.S.; Turner, S.; Villalba; Walle; White; Wu; Zedler.

Nays — Alonzo; Anderson; Ashby; Aycock; Bell; Bohac; Burnam; Button; Callegari; Clardy; Coleman; Collier; Craddick; Creighton; Dale; Darby; Davis, J.; Davis, S.; Davis, Y.; Dukes; Elkins; Fletcher; Frank; Frullo; Guerra; Gutierrez; Hunter; Kacal; Keffer; King, K.; Lewis; Martinez Fischer; McClendon; Miller, D.; Miller, R.; Murphy; Nevárez; Parker; Pitts; Raney; Reynolds; Riddle; Rodriguez, J.; Sheffield, J.; Sheffield, R.; Smith; Stephenson; Taylor; Toth; Villarreal; Vo; Zerwas.

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

Absent — Alvarado; Anchia; Branch; Cortez; Hernandez Luna; King, S.; Lucio; Morrison; Muñoz; Ratliff; Rodriguez, E.; Thompson, S.; Workman.

STATEMENTS OF VOTE

When Record No. 995 was taken, I was in the house but away from my desk. I would have voted yes.

Alvarado

When Record No. 995 was taken, I was in the house but away from my desk. I would have voted yes.

Anchia

I was shown voting no on Record No. 995. I intended to vote yes.

Bohac

I was shown voting no on Record No. 995. I intended to vote yes.

Creighton

I was shown voting no on Record No. 995. I intended to vote yes.

Fletcher

I was shown voting no on Record No. 995. I intended to vote yes.

Fullo

I was shown voting no on Record No. 995. I intended to vote yes.

Hunter

When Record No. 995 was taken, I was in the house but away from my desk. I would have voted no.

S. King

When Record No. 995 was taken, I was in the house but away from my desk. I would have voted yes.

Lucio

I was shown voting yes on Record No. 995. I intended to vote no.

Miles

I was shown voting present, not voting on Record No. 995. I intended to vote yes.

Patrick

I was shown voting yes on Record No. 995. I intended to vote no.

Rose

I was shown voting no on Record No. 995. I intended to vote yes.

Taylor

I was shown voting no on Record No. 995. I intended to vote yes.

Toth

Amendment No. 31

Representative Capriglione offered the following amendment to **CSSB 219**:
Floor Packet Page No. 61

Amend **CSSB 219** (house committee report) as follows:

(1) On page 36, line 9, immediately following "STATEMENTS", add "AND OTHER DISCLOSURES".

(2) Add the following appropriately numbered SECTIONS to ARTICLE 3 of the bill and renumber remaining SECTIONS of that ARTICLE accordingly:

SECTION 3. _____. Section 176.003(a-1), Local Government Code, is amended to read as follows:

(a-1) A local government officer is not required to file a conflicts disclosure statement in relation to a gift accepted by the officer or a family member of the officer if the gift is:

- (1) given by a family member of the person accepting the gift; or
- (2) a political contribution as defined by Title 15, Election Code~~[-or~~

~~[(3) food, lodging, transportation, or entertainment accepted as a guest].~~

SECTION 3. _____. The change in law made by this Act to Section 176.003(a-1), Local Government Code, applies only to the disclosure of a gift accepted on or after the effective date of this Act. A gift accepted before the effective date of this Act shall be disclosed in accordance with the law in effect when the gift was accepted, and the former law is continued in effect for that purpose.

Amendment No. 31 was withdrawn.

Amendment No. 32

Representative Howard offered the following amendment to **CSSB 219**:

Floor Packet Page No. 63

Amend **CSSB 219** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION _____. Subchapter A, Chapter 253, Election Code, is amended by adding Section 253.006 to read as follows:

Sec. 253.006. CERTAIN CONTRIBUTIONS AND EXPENDITURES BY LOBBYISTS RESTRICTED. (a) In this section, "administrative action," "communicates directly with," "legislation," "member of the executive branch," and "member of the legislative branch" have the meanings assigned by Section 305.002, Government Code.

(b) Notwithstanding any other provision of law and except as provided by Subsection (c), a person required to register under Chapter 305, Government Code, may not, before the second anniversary of the date the last term for which the person was elected ends, knowingly make or authorize a political contribution or political expenditure from political contributions accepted by the person as a candidate or officeholder.

(c) Subsection (b) does not apply to a person who:

(1) communicates directly with a member of the legislative or executive branch only to influence legislation or administrative action on behalf of:

(A) a nonprofit organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code;

(B) a group of low-income individuals; or

(C) a group of individuals with disabilities; and

(2) does not receive compensation other than reimbursement for actual expenses for engaging in communication described by Subdivision (1).

(d) A person who violates this section commits an offense. An offense under this section is a Class A misdemeanor.

SECTION _____. Subchapter B, Chapter 305, Government Code, is amended by adding Section 305.030 to read as follows:

Sec. 305.030. EXPENDITURES FROM POLITICAL CONTRIBUTIONS RESTRICTED. (a) In this section, "political contribution" has the meaning assigned by Section 251.001, Election Code.

(b) Notwithstanding any other provision of law and except as provided by Subsection (c), a person required to register under this chapter may not, before the second anniversary of the date the last term for which the person was elected ends, knowingly make or authorize an expenditure under this chapter from political contributions accepted by the person as a candidate or officeholder.

(c) Subsection (b) does not apply to a person who:

(1) communicates directly with a member of the legislative or executive branch only to influence legislation or administrative action on behalf of:

(A) a nonprofit organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code;

(B) a group of low-income individuals; or

(C) a group of individuals with disabilities; and

(2) does not receive compensation other than reimbursement for actual expenses for engaging in communication described by Subdivision (1).

SECTION _____. Section 253.006, Election Code, as added by this Act, and Section 305.030, Government Code, as added by this Act, apply to a political contribution, political expenditure, or lobbying expenditure made on or after September 1, 2013, from funds accepted as a political contribution, regardless of the date the funds were accepted.

Amendment No. 33

Representative Howard offered the following amendment to Amendment No. 32:

Amend Amendment No. 32 by Howard to **CSSB 219** (house committee printing) on page 1 of the amendment, between lines 3 and 4, by inserting the following:

SECTION _____. Chapter 252, Election Code, is amended by adding Section 252.00311 to read as follows:

Sec. 252.00311. CERTAIN USE OF CANDIDATE'S NAME BY POLITICAL COMMITTEE PROHIBITED. (a) Notwithstanding Section 252.0031(b), the name of a political committee may not include the name of any candidate that the committee supports if the candidate has not previously consented to and approved of the committee's formation.

(b) A violation of this section is a deceptive trade practice under Subchapter E, Chapter 17, Business & Commerce Code, and is actionable under that subchapter.

Amendment No. 33 was adopted.

Amendment No. 32, as amended, was adopted.

Amendment No. 34

Representative Fallon offered the following amendment to **CSSB 219**:

Floor Packet Page No. 36

Amend **CSSB 219** (house committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES and SECTIONS of the bill accordingly:

ARTICLE ____ . PROSECUTION BY ATTORNEY GENERAL OF
ETHICS-RELATED OFFENSES

SECTION ____ .01. Effective January 1, 2014, Chapter 402, Government Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. PUBLIC INTEGRITY UNIT

Sec. 402.101. DEFINITIONS. In this subchapter:

(1) "Offense" means a prohibited act for which state law imposes a criminal or civil penalty.

(2) "Prosecute" means represent the state to impose a criminal or civil penalty.

(3) "Prosecuting attorney" means a district attorney, criminal district attorney, or county attorney.

Sec. 402.102. OFFENSES AGAINST PUBLIC ADMINISTRATION. For purposes of this subchapter, the following are offenses against public administration:

(1) an offense under Title 8, Penal Code, committed by a state officer or a state employee in connection with the powers and duties of the state office or state employment;

(2) an offense under Chapter 301, 302, 305, 571, 572, or 2004;

(3) an offense under Chapter 573 committed by a state officer in connection with the powers and duties of the state office; and

(4) an offense under Title 15, Election Code, committed in connection with:

(A) a campaign for or the holding of state office; or

(B) an election on a proposed constitutional amendment.

Sec. 402.103. PUBLIC INTEGRITY UNIT. The public integrity unit is in the office of the attorney general.

Sec. 402.104. INVESTIGATION AND PROSECUTION BY PUBLIC INTEGRITY UNIT. (a) The public integrity unit has the authority to investigate whether a person has committed an offense against public administration.

(b) The public integrity unit may, on request of the appropriate prosecuting attorney, assist in the prosecution of or prosecute an offense under this section.

(c) If assisting in a prosecution as provided by Subsection (b), the public integrity unit may exercise the powers as necessary to accomplish the assistance, and the prosecuting attorney retains the authority to represent the state in the district and inferior courts in the prosecution of the offense.

(d) The authority of the public integrity unit to investigate an offense under Subsection (a) does not preclude another person from conducting any investigation as authorized or required under other law.

Sec. 402.105. COOPERATION OF STATE AGENCIES AND LOCAL LAW ENFORCEMENT AGENCIES. (a) To the extent allowed by law, a state agency or local law enforcement agency shall cooperate with the public integrity unit by providing information requested by the unit as necessary to carry out the purposes of this subchapter.

(b) Information disclosed under this section is confidential and not subject to disclosure under Chapter 552.

Sec. 402.106. VENUE. Notwithstanding other law, venue for prosecution of an offense against public administration is in the county in which the offense is committed.

SECTION ____ .02. Effective January 1, 2014, Sections 301.027(b) and (c), Government Code, are amended to read as follows:

(b) If the president of the senate or speaker receives a report or statement of facts as provided by Subsection (a), the president of the senate or speaker shall certify the statement of facts to the public integrity unit of the office of the attorney general [Travis County district attorney] under the seal of the senate or house of representatives, as appropriate. The public integrity unit may conduct an investigation on receipt of the statement of facts under this subsection.

(c) If after conducting an investigation under Subsection (b) the public integrity unit accepts the statement of facts, the unit may provide the results of the investigation to the [The Travis County] district attorney or other prosecuting attorney of the county in which the offense is committed, who shall bring the matter before the grand jury for action. If the grand jury returns an indictment, the prosecuting [district] attorney shall prosecute the indictment or request that the attorney general prosecute the indictment.

SECTION ____ .03. Effective January 1, 2014, Section 402.009, Government Code, is amended to read as follows:

Sec. 402.009. AUTHORITY TO EMPLOY AND COMMISSION PEACE OFFICERS. The attorney general may employ and commission peace officers as investigators for:

- (1) the limited purpose of assisting the attorney general in carrying out the duties of that office relating to prosecution assistance and crime prevention; or
- (2) the purpose of investigating offenses against public administration prosecuted under Subchapter D.

SECTION ____ .04. (a) Not later than March 1, 2014, the attorney general shall establish the public integrity unit under Subchapter D, Chapter 402, Government Code, as added by this Act.

(b) Subchapter D, Chapter 402, Government Code, as added by this Act, applies only to the prosecution of an offense against public administration committed on or after April 1, 2014. For purposes of this section, an offense is committed before April 1, 2014, if any element of the offense occurs before that date.

(c) The prosecution of an offense committed before April 1, 2014, is covered by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose, except that a county attorney, district attorney, or criminal district attorney may, on the request of the

attorney general, permit the public integrity unit established under Subchapter D, Chapter 402, Government Code, as added by this Act, to assume the prosecution of the offense.

(d) On January 1, 2014, appropriations made by the 83rd Legislature to the Judiciary Section, Comptroller's Department, for purposes of the Public Integrity Unit, Travis County, for general state government investigations are transferred to the office of the attorney general for purposes of the public integrity unit under Subchapter D, Chapter 402, Government Code, as added by this Act.

Amendment No. 34 - Point of Order

Representative Dukes raised a point of order against further consideration of Amendment No. 34.

The point of order was withdrawn.

Amendment No. 34 was withdrawn.

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 4 and 5).

CSSB 219 - (consideration continued)

CSSB 219, as amended, was passed to third reading by (Record 996): 133 Yeas, 14 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson; Ashby; Aycock; Bell; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burnam; Callegari; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; 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, P.; King, S.; King, T.; Kleinschmidt; Klick; Kolkhorst; Kuempel; Larson; Laubenberg; Lavender; 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; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Strama; Thompson, E.; Thompson, S.; Toth; Turner, C.; Turner, S.; Villalba; Villarreal; Vo; Walle; Workman; Wu; Zerwas.

Nays — Button; Carter; Craddick; Dale; Fallon; Hughes; Krause; Leach; Sanford; Stickland; Taylor; Turner, E.S.; White; Zedler.

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

Absent — Branch.

STATEMENTS OF VOTE

I was shown voting yes on Record No. 996. I intended to vote no.

Anderson

When Record No. 996 was taken, my vote failed to register. I would have voted yes.

Branch

I was shown voting yes on Record No. 996. I intended to vote no.

Creighton

I was shown voting yes on Record No. 996. I intended to vote no.

Laubenberg

I was shown voting yes on Record No. 996. I intended to vote no.

Perry

I was shown voting yes on Record No. 996. I intended to vote no.

Toth

CSSB 16 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Morrison, Representative Branch was authorized as a house sponsor to **CSSB 16**.

(Harper-Brown in the chair)

POSTPONED BUSINESS

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

CSSB 16 ON SECOND READING (Branch and Pitts - House Sponsors)

CSSB 16, A bill to be entitled An Act relating to authorizing the issuance of revenue bonds to fund capital projects at public institutions of higher education.

CSSB 16 was read second time earlier today and was postponed until this time.

Amendment No. 1

Representative Bell offered the following amendment to **CSSB 16**:

Amend **CSSB 16** as follows: On page 2, line 16, strike "6.4" and substitute "12.8".

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Coleman and Harless offered the following amendment to **CSSB 16**:

Amend **CSSB 16** (house committee printing) on page 7, between lines 5 and 6, by inserting the following:

(d) The board may not issue bonds under Subsection (a) until the board establishes the Hobby School of Public Affairs in a manner consistent with the highest standards of other public policy graduate programs in this state.

Amendment No. 2 was adopted.

CSSB 16, as amended, was passed to third reading. (P. King, Phillips, and Toth recorded voting no.)

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

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

**CSSJR 1 ON SECOND READING
(Pitts and Ritter - House Sponsors)**

CSSJR 1, A joint resolution proposing a constitutional amendment providing for the creation of the State Water Implementation Fund for Texas and the State Water Implementation Revenue Fund for Texas to assist in the financing of priority projects in the state water plan.

Representative D. Bonnen moved to postpone consideration of **CSSJR 1** until 9 p.m. today.

The motion prevailed.

**GENERAL STATE CALENDAR
SENATE BILLS
SECOND READING**

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

**CSSB 1773 ON SECOND READING
(D. Bonnen - House Sponsor)**

CSSB 1773, A bill to be entitled An Act relating to the creation of a select interim committee to review and make recommendations for substantive changes to ethics laws.

Amendment No. 1

Representative Capriglione offered the following amendment to **CSSB 1773**:

Amend **CSSB 1773** (house committee printing) as follows:

(1) On page 1, line 12, strike "and".

(2) On page 1, line 14, between "laws" and the period, insert the following:
; and

(4) whether personal financial disclosure laws should require an elected or appointed officer to identify each written contract, including the name of each party to the contract, if the aggregate cost of goods or services sold under one or more written contracts described by this subdivision exceeds \$10,000 in the year covered by the disclosure:

(A) for the sale of goods or services in the amount of \$2,500 or more;

(B) to which the officer, the officer's spouse, the officer's dependent child, or any business entity of which the officer, the officer's spouse, or the officer's dependent child has at least a 50 percent ownership interest is a party; and

(C) with:

(i) a governmental entity, including the state, a political subdivision of the state, or an agency or department of the state or a political subdivision of the state; or

(ii) a person who contracts with a governmental entity, to fulfill one or more of the person's obligations to the governmental entity under that contract

Amendment No. 1 was withdrawn.

CSSB 1773 was passed to third reading.

SB 247 ON SECOND READING

(D. Miller and Oliveira - House Sponsors)

SB 247, A bill to be entitled An Act relating to the transfer of an ad valorem tax lien; providing an administrative penalty.

SB 247 was passed to third reading.

SB 17 ON SECOND READING

(Fletcher - House Sponsor)

SB 17, A bill to be entitled An Act relating to the training in school safety of certain educators of a school district or an open-enrollment charter school authorized to carry a concealed handgun on school premises.

SB 17 was passed to third reading.

SB 1509 ON SECOND READING

(Aycock - House Sponsor)

SB 1509, A bill to be entitled An Act relating to college readiness and success.

Representative Aycock moved to postpone consideration of **SB 1509** until 12:01 a.m. tomorrow.

The motion prevailed.

CSSB 791 ON SECOND READING

(Darby, Lewis, Hilderbran, Guerra, and Villalba - House Sponsors)

CSSB 791, A bill to be entitled An Act relating to the regulation of low-level radioactive waste disposal facilities and radioactive substances.

CSSB 791 - POINT OF ORDER

Representative Burnam raised a point of order against further consideration of **CSSB 791** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative Burnam raised a point of order against further consideration of **CSSB 791** under Rule 4, Section 32(c)(3) of the House Rules, asserting that the bill analysis incorrectly states whether the bill contains an express delegation of rulemaking authority. The point of order is sustained.

The bill analysis states that three sections of the bill create rulemaking authority: Sections 4, 7, and 14. The chair agrees that Sections 4 and 7 contain express grants of independent rulemaking authority. For example, Section 4 of the bill conditions acceptance of nonparty waste for disposal at certain facilities on whether the waste has been volume-reduced by a factor of three. It also contains new language stating that "The commission by rule shall establish requirements for ensuring that low-level radioactive waste has been volume-reduced in a manner consistent with this subchapter." Thus, it contains an express grant of new rulemaking authority. Section 14 requires the Texas Commission on Environmental Quality to adopt rules to implement certain provisions of the bill "as soon as practicable." Rather than granting new authority, Section 14 merely references other sections of the bill that independently create or refer to existing rulemaking authority. Because Section 14 is not an express grant of new rulemaking authority to the TCEQ, the bill analysis was incorrect. See 83 H.J. Reg. 3000 (2013); 83 H.J. Reg. 874-875 (2013).

CSSB 791 was returned to the Committee on Environmental Regulation.

SB 1406 ON SECOND READING

(Toth, Bohac, Harper-Brown, Creighton, and Branch - House Sponsors)

SB 1406, A bill to be entitled An Act relating to State Board of Education oversight of regional education service center activities concerning certain curriculum management systems.

SB 1406 was passed to third reading. (Cook and Herrero recorded voting no.)

SB 1702 ON SECOND READING

(D. Bonnen - House Sponsor)

SB 1702, A bill to be entitled An Act relating to residential property insured by the Texas Windstorm Insurance Association.

Amendment No. 1

Representative Eiland offered the following amendment to **SB 1702**:

Amend **SB 1702** (house committee printing) by striking SECTIONS 1 through 4 of the bill (page 1, line 5, through page 3, line 7), substituting the following appropriately numbered SECTION, and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 2210.260(d), Insurance Code, is amended to read as follows:

(d) Except as provided by Sections 2210.251(d), (e), and (f), a person who has an insurable interest in a residential structure that is insured by the association as of August 31, 2012, but for which the person has not obtained a certificate of compliance under Section 2210.251(g), must obtain an alternative certification under this section before the association, on or after August 31, 2015 [~~2013~~], may renew coverage for the structure.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Smithee offered the following amendment to **SB 1702**:

Amend **SB 1702** (house committee printing) by inserting the following appropriately numbered SECTION and renumbering SECTIONS of the bill appropriately:

SECTION _____. Subchapter F, Chapter 2210, Insurance Code, is amended by adding Section 2210.2581 to read as follows:

Sec. 2210.2581. MANDATORY COMPLIANCE WITH BUILDING STANDARDS; CERTAIN STRUCTURES. Notwithstanding Section 2210.251, Section 2210.258, or any other provision of this chapter, after December 31, 2015, the association may not issue or renew insurance coverage under this chapter for a structure with an insurable value of \$250,000 or more unless the structure complies with the applicable building code standards, as set forth in the plan of operation.

Amendment No. 2 was adopted.

SB 1702, as amended, was passed to third reading. (Button recorded voting no.)

CSSB 1052 ON SECOND READING

(Frullo, S. Thompson, and Fletcher - House Sponsors)

CSSB 1052, 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 information held in electronic storage in this state and other states by providers of electronic communications services and remote computing services.

Amendment No. 1

Representatives Hughes, S. Turner, Smithee, Dutton, D. Bonnen, Frank, and P. King offered the following amendment to **CSSB 1052**:

Amend **CSSB 1052** (house committee printing) as follows:

(1) On page 2, line 14, strike "or".

(2) On page 2, line 18, between "electronic storage" and the period, insert ";
or

(14) location information as defined by Article 18.21".

(3) On page 4, line 7, strike "(3-b) and (3-c)" and substitute "(3-b), (3-c), and (4-a)".

(4) On page 4, add the following after line 27:

(4-a) "Location information" means any information that:

(A) concerns the location of a cellular telephone or other wireless communications device; and

(B) is wholly or partly generated by or derived from the operation of the device.

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

SECTION _____. Section 2, Article 18.21, Code of Criminal Procedure, is amended by amending Subsection (g) and adding Subsection (g-1) to read as follows:

(g) At the request of the prosecutor or a peace officer, the [The] district court may [shall] seal the [an] application and order as provided by [granted under] this subsection. The application and order may be sealed for an initial period not to exceed 180 days. For good cause shown, the court may grant one or more additional one-year periods. With respect to any application that is or becomes subject to disclosure, on a judicial determination that the disclosure of identifying information for a person who is a victim, witness, peace officer, or informant would cause an adverse result as defined by Section 7(c), the court shall redact the identifying information from the application and from the record of the application retained and submitted as described by Subsection (g-1). On a showing of clear and convincing evidence that disclosure of identifying personal information would cause an adverse result, the court may permanently seal the application [article].

(g-1) The court shall retain a record of any application made or order granted under this section and submit the record to the department in accordance with Section 17.

SECTION _____. Article 18.21, Code of Criminal Procedure, is amended by adding Section 14A to read as follows:

Sec. 14A. WARRANT FOR LOCATION INFORMATION FROM CELLULAR TELEPHONE OR OTHER WIRELESS COMMUNICATIONS DEVICE. (a) A district judge may issue a warrant for location information provided by the mobile tracking features of a cellular telephone or other wireless communications device. A warrant under this section may be issued in the same judicial district as, or in a judicial district that is contiguous to the same judicial district as, the site of:

(1) the investigation; or

(2) the person, vehicle, container, item, or object the movement of which will be tracked by the location information obtained from the wireless communications device.

(b) The warrant may authorize the acquisition of location information obtained from a wireless communications device that, at the time the location information is acquired, is located outside the judicial district but within the state if the applicant for the warrant reasonably believes the device to be located within the district at the time the warrant is issued.

(c) A district judge may issue the warrant only on the application of a peace officer. An application must be written and signed and sworn to or affirmed before the judge. The affidavit must:

- (1) state the name, department, agency, and address of the applicant;
- (2) identify the wireless communications device to be monitored;
- (3) state the name of the owner or possessor of the device to be monitored;
- (4) state the judicial district in which the device is reasonably expected to be located; and
- (5) state the facts and circumstances that provide the applicant with probable cause to believe that:

(A) criminal activity has been, is, or will be committed; and

(B) acquisition of location information from the device is likely to produce evidence in a criminal investigation of the criminal activity described in Paragraph (A).

(d) A warrant issued under this section must be executed within the period provided by Article 18.07 by properly serving the warrant on a communication common carrier, an electronic communications service, or a remote computing service. A warrant issued under this section expires not later than the 90th day after the date the warrant is issued, and location information may not be obtained after the expiration date without an extension of the warrant. For good cause shown, the judge may grant an extension for an additional 90-day period.

(e) At the request of a peace officer, the district court may seal the application and warrant as provided by this subsection. The application and warrant may be sealed for an initial period not to exceed 180 days. For good cause shown, the court may grant one or more additional one-year periods. With respect to any application that is or becomes subject to disclosure, on a judicial determination that the disclosure of identifying information for a person who is a victim, witness, peace officer, or informant would cause an adverse result as defined by Section 7(c), the court shall redact the identifying information from the application and from the record of the application retained and submitted as described by Subsection (f). On a showing of clear and convincing evidence that disclosure of identifying personal information would cause an adverse result, the court may permanently seal the application.

(f) The court shall retain a record of any application made or warrant issued under this section and submit the record to the department in accordance with Section 17.

(g) Notwithstanding any other law, location information may be obtained from a wireless communications device without a warrant by:

- (1) a private entity or a peace officer if the device is reported stolen by the owner; or

(2) a peace officer if:

(A) there exists an immediate life-threatening situation; or

(B) the officer reasonably believes the device is in the possession of a fugitive from justice for whom an arrest warrant has been issued for committing a felony offense.

(h) A peace officer may apply for, and a district court may issue, an order authorizing the officer to obtain location information from a wireless communications device on the officer's showing that there are reasonable grounds to believe that the device is in the possession of a fugitive from justice for whom an arrest warrant has been issued for committing a felony offense.

(i) Regardless of whether an order has been issued with respect to the matter under Subsection (h), a peace officer must apply for a warrant to obtain location information from a wireless communications device under Subsection (g)(2) as soon as practicable. If the district judge finds that the applicable situation under Subsection (g)(2) did not occur and declines to issue the warrant, any evidence obtained is not admissible in a criminal action.

SECTION _____. Section 15(a), Article 18.21, Code of Criminal Procedure, is amended to read as follows:

(a) The director of the department or the director's designee, the inspector general of the Texas Department of Criminal Justice or the inspector general's designee, or the sheriff or chief of a [~~designated~~] law enforcement agency or the sheriff's or chief's designee may issue an administrative subpoena to a communication [~~communications~~] common carrier, [or] an electronic communications service, or a remote computing service to compel the production of the carrier's or service's business records that:

(1) disclose information, excluding any location information, about:

(A) the carrier's or service's customers; or

(B) users of the services offered by the carrier or service; and

(2) are material to a criminal investigation.

SECTION _____. Article 18.21, Code of Criminal Procedure, is amended by adding Section 15A to read as follows:

Sec. 15A. COMPELLING PRODUCTION OF BUSINESS RECORDS DISCLOSING LOCATION INFORMATION. On application by the director of the department or the director's designee, the inspector general of the Texas Department of Criminal Justice or the inspector general's designee, or the sheriff or chief of a law enforcement agency or the sheriff's or chief's designee, the district court may issue a warrant pursuant to Article 18.02 to a communication common carrier, an electronic communications service, or a remote computing service to compel the production of the carrier's or service's business records that disclose location information about the carrier's or service's customers or users of the services offered by the carrier or service, if there is probable cause to believe the records disclosing location information will provide evidence in a criminal investigation.

SECTION _____. Article 18.21, Code of Criminal Procedure, is amended by adding Section 17 to read as follows:

Sec. 17. ANNUAL REPORT OF WARRANTS AND ORDERS. (a) Not later than the 60th day after the date of expiration of a warrant or order issued under this article or an order extending the period of a warrant or order issued under this article, or not later than the 60th day after the date the court denies an application for a warrant or order under this article, the court shall submit to the department the following information, as applicable:

- (1) the receipt of an application for a warrant or order under this article;
- (2) the type of warrant or order for which the application was made;
- (3) whether any application for an order of extension was granted, granted as modified by the court, or denied;
- (4) the period of monitoring authorized by the warrant or order and the number and duration of any extensions of the warrant or order;
- (5) the offense under investigation, as specified in the application for the warrant or order or an extension of the warrant or order; and
- (6) the law enforcement agency or prosecutor that submitted an application for the warrant or order or an extension of the warrant or order.

(b) Not later than March 15 of each year, each prosecutor that submits an application for a warrant or order or an extension of a warrant or order under this article shall submit to the department the following information for the preceding calendar year:

- (1) the information required to be submitted by a court under Subsection (a) with respect to each application submitted by the prosecutor for the warrant or order or an extension of the warrant or order;
- (2) a general description of information collected under each warrant or order that was issued by the court, including the approximate number of individuals for whom location information was intercepted and the approximate duration of the monitoring of the location information of those individuals;
- (3) the number of arrests made as a result of information obtained under a warrant or order issued under this article;
- (4) the number of criminal trials commenced as a result of information obtained under a warrant or order issued under this article; and
- (5) the number of convictions obtained as a result of information obtained under a warrant or order issued under this article.

(c) Information submitted to the department under this section is public information and subject to disclosure under Chapter 552, Government Code.

(d) Not later than June 1 of each year, the public safety director of the department shall submit a report to the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the standing committees of the senate and house of representatives with primary jurisdiction over criminal justice. The report must contain the following information for the preceding calendar year:

- (1) an assessment of the extent of tracking or monitoring by law enforcement agencies of pen register, trap and trace, ESN reader, and location information;

(2) a comparison of the ratio of the number of applications for warrants or orders made under this article to the number of arrests and convictions resulting from information obtained under a warrant or order issued under this article; and

(3) identification of the types of offenses investigated under a warrant or order issued under this article.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Dutton offered the following amendment to **CSSB 1052**:

Amend **CSSB 1052** (house committee printing) as follows:

(1) Strike SECTION 6 of the bill (page 5, line 1, through page 7, line 14) and substitute the following appropriately numbered SECTION:

SECTION _____. 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 an electronic communications service or a provider of a remote computing service to disclose the contents of a wire communication or an electronic communication that is [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 an electronic communications service or a provider of a remote computing service to disclose electronic customer data not otherwise described by ~~[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 under Section 5A;
- (4) by obtaining the consent of the subscriber or customer to the

disclosure of the data ~~[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.

~~[(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.

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

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

Sec. 6. BACKUP PRESERVATION. (a) A subpoena or court order for disclosure of certain electronic customer data held ~~[the contents of an electronic communication]~~ in electronic storage by a provider of an electronic communications service or a provider of a remote computing service under Section 4(b) [4(e) of this article] may require that ~~[the service]~~ provider to ~~[whom the request is directed]~~ create a copy of the customer data ~~[contents of the~~

~~electronic communications~~] sought by the subpoena or court order for the purpose of preserving that data ~~[those contents]~~. The ~~[service]~~ provider may not inform the subscriber or customer whose data is ~~[communications are]~~ being sought that the subpoena or court order has been issued. The ~~[service]~~ provider shall create the copy not later than two business days after the date of the receipt by the ~~[service]~~ provider of the subpoena or court order.

(b) The provider of an electronic communications service or the provider of a remote computing service shall immediately notify the authorized peace officer who presented the subpoena or court order requesting the copy when the copy has been created.

(c) The ~~[Except as provided by Section 7 of this article, the]~~ authorized peace officer shall notify the subscriber or customer whose electronic customer data is [communications are] the subject of the subpoena or court order of the creation of the copy not later than three days after the date of the receipt of the notification from the applicable ~~[service]~~ provider that the copy was created.

(d) The provider of an electronic communications service or the provider of a remote computing service shall release the copy to the requesting authorized peace officer not earlier than the 14th day after the date of the peace officer's notice to the subscriber or customer if the ~~[service]~~ provider has not:

(1) initiated proceedings to challenge the request of the peace officer for the copy; or

(2) received notice from the subscriber or customer that the subscriber or customer has initiated proceedings to challenge the request.

(e) The provider of an electronic communications service or the provider of a remote computing service may not destroy or permit the destruction of the copy until the electronic customer data [information] has been delivered to the applicable [designated] law enforcement [office or] agency or until the resolution of any court proceedings, including appeals of any proceedings, relating to the subpoena or court order requesting the creation of the copy, whichever occurs last.

(f) An authorized peace officer who reasonably believes that notification to the subscriber or customer of the subpoena or court order would result in the destruction of or tampering with electronic customer data [information] sought may request the creation of a copy of the data [information]. The peace officer's belief is not subject to challenge by the subscriber or customer or by a [service] provider of an electronic communications service or a provider of a remote computing service.

(g)(1) A subscriber or customer who receives notification as described in Subsection (c) ~~[of this section]~~ may file a written motion to quash the subpoena or vacate the court order in the court that issued the subpoena or court order not later than the 14th day after the date of the receipt of the notice. The motion must contain an affidavit or sworn statement stating ~~[that]~~:

(A) that the applicant is a subscriber or customer of the provider of an electronic communications service or the provider of a remote computing service from which the electronic customer data held in [contents of] electronic storage [communications stored] for the subscriber or customer has [have] been sought; and

(B) the applicant's reasons for believing that the customer data [information] sought is not relevant to a legitimate law enforcement inquiry or that there has not been substantial compliance with the provisions of this article in some other respect.

(2) The subscriber or customer shall give written notice to the provider of an electronic communications service or the provider of a remote computing service of the challenge to the subpoena or court order. The authorized peace officer [or designated law enforcement office or agency] requesting the subpoena or court order must [shall] be served a copy of the papers filed by personal delivery or by registered or certified mail.

(h)(1) The court shall order the authorized peace officer to file a sworn response to the motion filed by the subscriber or customer if the court determines that the subscriber or customer has complied with the requirements of Subsection (g) [of this section]. On request of the peace officer, the court may permit the response to be filed in camera. The court may conduct any additional proceedings the court considers appropriate if the court is unable to make a determination on the motion on the basis of the parties' initial allegations and response.

(2) The court shall rule on the motion as soon after the filing of the officer's response as practicable. The court shall deny the motion if the court finds that the applicant is not the subscriber or customer whose electronic customer data held in electronic storage is [stored communications are] the subject of the subpoena or court order or that there is reason to believe that the peace officer's inquiry is legitimate and that the customer data [communications] sought is [are] relevant to that inquiry. The court shall quash the subpoena or vacate the order if the court finds that the applicant is the subscriber or customer whose data is [stored communications are] the subject of the subpoena or court order and that there is not a reason to believe that the data is [communications sought are] relevant to a legitimate law enforcement inquiry or that there has not been substantial compliance with the provisions of this article.

(3) A court order denying a motion or application under this section is not a final order and no interlocutory appeal may be taken from the denial.

SECTION _____. Section 8, Article 18.21, Code of Criminal Procedure, is amended to read as follows:

Sec. 8. PRECLUSION OF NOTIFICATION. (a) An [When an] authorized peace officer seeking electronic customer data [information] under Section 4 [of this article is not required to give notice to the subscriber or customer or is delaying notification under Section 7 of this article, the peace officer] may apply to the court for an order commanding the service provider to whom a warrant, subpoena, or court order is directed not to disclose to any [other] person the existence of the warrant, subpoena, or court order. The order is effective for the period the court considers appropriate. The court shall enter the order if the court

determines that there is reason to believe that notification of the existence of the warrant, subpoena, or court order will have an adverse result ~~[as described in Section 7(e) of this article]~~.

(b) In this section, an "adverse result" means:

- (1) endangering the life or physical safety of an individual;
- (2) flight from prosecution;
- (3) destruction of or tampering with evidence;
- (4) intimidation of a potential witness; or
- (5) otherwise seriously jeopardizing an investigation or unduly delaying a trial.

SECTION _____. Subsections (a) and (b), Section 9, Article 18.21, Code of Criminal Procedure, are amended to read as follows:

(a) Except as provided by Subsection (c) of this section, an authorized peace officer who obtains electronic customer data under Section 4 or other information under this article shall reimburse the person assembling or providing the data or information for all costs that are reasonably necessary and that have been directly incurred in searching for, assembling, reproducing, or otherwise providing the data or information. These costs include costs arising from necessary disruption of normal operations of a provider of an electronic communications service or a provider of a remote computing service in which the electronic customer data may be held in electronic storage or in which the other information may be stored.

(b) The authorized peace officer and the person providing the electronic customer data or other information may agree on the amount of reimbursement. If there is no agreement, the court that issued the order for production of the data or information shall determine the amount. If no court order was issued for production of the data or information, the court before which the criminal prosecution relating to the data or information would be brought shall determine the amount.

SECTION _____. Section 10, Article 18.21, Code of Criminal Procedure, is amended to read as follows:

Sec. 10. NO CAUSE OF ACTION. A subscriber or customer of a provider of an [wire or] electronic communications service or a provider of a remote computing service does not have a cause of action against a provider or [wire or electronic communications or remote computing service,] its officers, employees, or agents[;] or against other specified persons for providing information, facilities, or assistance as required by a court order, warrant, subpoena, or certification under this article.

SECTION _____. Subsection (a), Section 12, Article 18.21, Code of Criminal Procedure, is amended to read as follows:

(a) Except as provided by Section 10 of this article, a provider of an electronic communications service or a provider of a remote computing service, or a subscriber or customer of that provider, that is [an electronic communications service] aggrieved by a violation of this article has a civil cause of action if the conduct constituting the violation was committed knowingly or intentionally and is entitled to:

- (1) injunctive relief;
- (2) a reasonable attorney's fee and other litigation costs reasonably incurred; and
- (3) the sum of the actual damages suffered and any profits made by the violator as a result of the violation or \$1,000, whichever is more.

SECTION _____. Section 7, Article 18.21, Code of Criminal Procedure, is repealed.

Amendment No. 2 was adopted.

Amendment No. 3

Representatives Hughes, S. Turner, Frank, Dutton, P. King, Smithee, and D. Bonnen offered the following amendment to **CSSB 1052**:

Amend **CSSB 1052** (house committee printing) as follows:

- (1) On page 2, line 14, strike "or".
- (2) On page 2, line 18, between "electronic storage" and the period, insert "or
(14) location information as defined by Article 18.21".
- (3) On page 4, line 7, strike "(3-b) and (3-c)" and substitute "(3-b), (3-c), and (4-a)".
- (4) On page 4, add the following after line 27:

(4-a) "Location information" means any information that:

- (A) concerns the location of a cellular telephone or other wireless communications device; and
- (B) is wholly or partly generated by or derived from the operation of the device.

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

SECTION _____. Section 2, Article 18.21, Code of Criminal Procedure, is amended by amending Subsection (g) and adding Subsection (g-1) to read as follows:

(g) At the request of the prosecutor or a peace officer, the [The] district court may [shall] seal the [an] application and order as provided by [granted under] this subsection. The application and order may be sealed for an initial period not to exceed 180 days. For good cause shown, the court may grant one or more additional one-year periods. With respect to any application that is or becomes subject to disclosure, on a judicial determination that the disclosure of identifying information for a person who is a victim, witness, peace officer, or informant would cause an adverse result as defined by Section 7(c), the court shall redact the identifying information from the application and from the record of the application retained and submitted as described by Subsection (g-1). On a showing of clear and convincing evidence that disclosure of identifying personal information would cause an adverse result, the court may permanently seal the application [article].

(g-1) The court shall retain a record of any application made or order granted under this section and submit the record to the department in accordance with Section 17.

SECTION _____. Article 18.21, Code of Criminal Procedure, is amended by adding Section 14A to read as follows:

Sec. 14A. WARRANT FOR LOCATION INFORMATION FROM CELLULAR TELEPHONE OR OTHER WIRELESS COMMUNICATIONS DEVICE. (a) A district judge may issue a warrant for location information provided by the mobile tracking features of a cellular telephone or other wireless communications device. A warrant under this section may be issued in the same judicial district as, or in a judicial district that is contiguous to the same judicial district as, the site of:

(1) the investigation; or

(2) the person, vehicle, container, item, or object the movement of which will be tracked by the location information obtained from the wireless communications device.

(b) The warrant may authorize the acquisition of location information obtained from a wireless communications device that, at the time the location information is acquired, is located outside the judicial district but within the state if the applicant for the warrant reasonably believes the device to be located within the district at the time the warrant is issued.

(c) A district judge may issue the warrant only on the application of a peace officer. An application must be written and signed and sworn to or affirmed before the judge. The affidavit must:

(1) state the name, department, agency, and address of the applicant;

(2) identify the wireless communications device to be monitored;

(3) state the name of the owner or possessor of the device to be monitored;

(4) state the judicial district in which the device is reasonably expected to be located; and

(5) state the facts and circumstances that provide the applicant with probable cause to believe that:

(A) criminal activity has been, is, or will be committed; and

(B) acquisition of location information from the device is likely to produce evidence in a criminal investigation of the criminal activity described in Paragraph (A).

(d) A warrant issued under this section must be executed within the period provided by Article 18.07 by properly serving the warrant on a communication common carrier, an electronic communications service, or a remote computing service. A warrant issued under this section expires not later than the 90th day after the date the warrant is issued, and location information may not be obtained after the expiration date without an extension of the warrant. For good cause shown, the judge may grant an extension for an additional 90-day period.

(e) At the request of a peace officer, the district court may seal the application and warrant as provided by this subsection. The application and warrant may be sealed for an initial period not to exceed 180 days. For good cause shown, the court may grant one or more additional one-year periods. With respect to any application that is or becomes subject to disclosure, on a judicial determination that the disclosure of identifying information for a person who is a

victim, witness, peace officer, or informant would cause an adverse result as defined by Section 7(c), the court shall redact the identifying information from the application and from the record of the application retained and submitted as described by Subsection (f). On a showing of clear and convincing evidence that disclosure of identifying personal information would cause an adverse result, the court may permanently seal the application.

(f) The court shall retain a record of any application made or warrant issued under this section and submit the record to the department in accordance with Section 17.

(g) Notwithstanding any other law, location information may be obtained from a wireless communications device without a warrant by:

(1) a private entity or a peace officer if the device is reported stolen by the owner; or

(2) a peace officer if:

(A) there exists an immediate life-threatening situation; or

(B) the officer reasonably believes the device is in the possession of a fugitive from justice for whom an arrest warrant has been issued for committing a felony offense.

(h) A peace officer may apply for, and a district court may issue, an order authorizing the officer to obtain location information from a wireless communications device on the officer's showing that there are reasonable grounds to believe that the device is in the possession of a fugitive from justice for whom an arrest warrant has been issued for committing a felony offense.

(i) Regardless of whether an order has been issued with respect to the matter under Subsection (h), a peace officer must apply for a warrant to obtain location information from a wireless communications device under Subsection (g)(2) as soon as practicable. If the district judge finds that the applicable situation under Subsection (g)(2) did not occur and declines to issue the warrant, any evidence obtained is not admissible in a criminal action.

SECTION _____. Section 15(a), Article 18.21, Code of Criminal Procedure, is amended to read as follows:

(a) The director of the department or the director's designee, the inspector general of the Texas Department of Criminal Justice or the inspector general's designee, or the sheriff or chief of a [~~designated~~] law enforcement agency or the sheriff's or chief's designee may issue an administrative subpoena to a communication [~~communications~~] common carrier, [~~or~~] an electronic communications service, or a remote computing service to compel the production of the carrier's or service's business records that:

(1) disclose information, excluding any location information, about:

(A) the carrier's or service's customers; or

(B) users of the services offered by the carrier or service; and

(2) are material to a criminal investigation.

SECTION _____. Article 18.21, Code of Criminal Procedure, is amended by adding Section 15A to read as follows:

Sec. 15A. COMPELLING PRODUCTION OF BUSINESS RECORDS DISCLOSING LOCATION INFORMATION. On application by the director of the department or the director's designee, the inspector general of the Texas Department of Criminal Justice or the inspector general's designee, or the sheriff or chief of a law enforcement agency or the sheriff's or chief's designee, the district court may issue a warrant pursuant to Article 18.02 to a communication common carrier, an electronic communications service, or a remote computing service to compel the production of the carrier's or service's business records that disclose location information about the carrier's or service's customers or users of the services offered by the carrier or service, if there is probable cause to believe the records disclosing location information will provide evidence in a criminal investigation.

SECTION _____. Article 18.21, Code of Criminal Procedure, is amended by adding Section 17 to read as follows:

Sec. 17. ANNUAL REPORT OF WARRANTS AND ORDERS. (a) Not later than the 60th day after the date of expiration of a warrant or order issued under this article or an order extending the period of a warrant or order issued under this article, or not later than the 60th day after the date the court denies an application for a warrant or order under this article, the court shall submit to the department the following information, as applicable:

- (1) the receipt of an application for a warrant or order under this article;
- (2) the type of warrant or order for which the application was made;
- (3) whether any application for an order of extension was granted, granted as modified by the court, or denied;
- (4) the period of monitoring authorized by the warrant or order and the number and duration of any extensions of the warrant or order;
- (5) the offense under investigation, as specified in the application for the warrant or order or an extension of the warrant or order; and
- (6) the law enforcement agency or prosecutor that submitted an application for the warrant or order or an extension of the warrant or order.

(b) Not later than March 15 of each year, each prosecutor that submits an application for a warrant or order or an extension of a warrant or order under this article shall submit to the department the following information for the preceding calendar year:

- (1) the information required to be submitted by a court under Subsection (a) with respect to each application submitted by the prosecutor for the warrant or order or an extension of the warrant or order;
- (2) a general description of information collected under each warrant or order that was issued by the court, including the approximate number of individuals for whom location information was intercepted and the approximate duration of the monitoring of the location information of those individuals;
- (3) the number of arrests made as a result of information obtained under a warrant or order issued under this article;
- (4) the number of criminal trials commenced as a result of information obtained under a warrant or order issued under this article; and

(5) the number of convictions obtained as a result of information obtained under a warrant or order issued under this article.

(c) Information submitted to the department under this section is public information and subject to disclosure under Chapter 552, Government Code.

(d) Not later than June 1 of each year, the public safety director of the department shall submit a report to the governor, the lieutenant governor, the speaker of the house of representatives, and the chairs of the standing committees of the senate and house of representatives with primary jurisdiction over criminal justice. The report must contain the following information for the preceding calendar year:

(1) an assessment of the extent of tracking or monitoring by law enforcement agencies of pen register, trap and trace, ESN reader, and location information;

(2) a comparison of the ratio of the number of applications for warrants or orders made under this article to the number of arrests and convictions resulting from information obtained under a warrant or order issued under this article; and

(3) identification of the types of offenses investigated under a warrant or order issued under this article.

Representative Frullo moved to table Amendment No. 3.

The motion to table was lost.

Amendment No. 3 was adopted.

Amendment No. 4

Representative Sanford offered the following amendment to **CSSB 1052**:

Amend **CSSB 1052** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 18, Code of Criminal Procedure, is amended by adding Article 18.211 to read as follows:

Art. 18.211. USE OF FACIAL RECOGNITION TECHNOLOGY BY RETAIL ESTABLISHMENT PROHIBITED. A retail establishment may not use facial recognition technology for any purposes.

Amendment No. 4 was adopted.

CSSB 1052, as amended, was passed to third reading.

CSSB 227 ON SECOND READING (Zerwas - House Sponsor)

CSSB 227, A bill to be entitled An Act relating to the dispensing of aesthetic pharmaceuticals by physicians and therapeutic optometrists; imposing fees.

CSSB 227 was passed to third reading. (Anderson and Isaac recorded voting no.)

(Geren in the chair)

SB 1221 ON SECOND READING
(Smithee - House Sponsor)

SB 1221, A bill to be entitled An Act relating to use of a Medicaid-based fee schedule for reimbursement of services under a contract between a health care provider and certain health benefit plans.

SB 1221 was passed to third reading.

CSSB 21 ON SECOND READING
(Creighton, D. Bonnen, Riddle, and R. Sheffield - House Sponsors)

CSSB 21, A bill to be entitled An Act relating to drug screening or testing as a condition for the receipt of unemployment compensation benefits by certain individuals.

CSSB 21 - POINT OF ORDER

Representative Martinez Fischer raised a point of order against further consideration of **CSSB 21** under Rule 4, Section 32(c) of the House Rules on the grounds that the bill analysis is incorrect.

The point of order was withdrawn.

Representative Creighton moved to postpone consideration of **CSSB 21** until 9:10 p.m. today.

The motion prevailed.

SB 163 ON SECOND READING
(C. Turner, Hilderbran, Isaac, Bohac, N. Gonzalez, et al. - House Sponsors)

SB 163, A bill to be entitled An Act relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a member of the armed services of the United States who is killed in action.

Amendment No. 1

Representative C. Turner offered the following amendment to **SB 163**:

Amend **SB 163** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill, and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subsection (c), Section 11.42, Tax Code, is amended to read as follows:

(c) An exemption authorized by Section 11.13(c) or (d) or 11.132 is effective as of January 1 of the tax year in which the person qualifies for the exemption and applies to the entire tax year.

SECTION _____. Subsection (b), Section 26.10, Tax Code, is amended to read as follows:

(b) If the appraisal roll shows that a residence homestead exemption under Section 11.13(c) or (d) or 11.132 [~~for an individual 65 years of age or older or a residence homestead exemption for a disabled individual~~] applicable to a property on January 1 of a year terminated during the year and if the owner of the property

qualifies a different property for one of those residence homestead exemptions during the same year, the tax due against the former residence homestead is calculated by:

(1) subtracting:

(A) the amount of the taxes that otherwise would be imposed on the former residence homestead for the entire year had the owner [~~individual~~] qualified for the residence homestead exemption for the entire year; from

(B) the amount of the taxes that otherwise would be imposed on the former residence homestead for the entire year had the owner [~~individual~~] not qualified for the residence homestead exemption during the year;

(2) multiplying the remainder determined under Subdivision (1) by a fraction, the denominator of which is 365 and the numerator of which is the number of days that elapsed after the date the exemption terminated; and

(3) adding the product determined under Subdivision (2) and the amount described by Subdivision (1)(A).

SECTION _____. Section 26.112, Tax Code, is amended to read as follows:

Sec. 26.112. CALCULATION OF TAXES ON RESIDENCE HOMESTEAD OF CERTAIN PERSONS [~~ELDERLY OR DISABLED PERSON~~]. (a) Except as provided by Section 26.10(b), if at any time during a tax year property is owned by an individual who qualifies for an exemption under Section 11.13(c) or (d) or 11.132, the amount of the tax due on the property for the tax year is calculated as if the individual [~~person~~] qualified for the exemption on January 1 and continued to qualify for the exemption for the remainder of the tax year.

(b) If an individual [~~a person~~] qualifies for an exemption under Section 11.13(c) or (d) or 11.132 with respect to the property after the amount of the tax due on the property is calculated and the effect of the qualification is to reduce the amount of the tax due on the property, the assessor for each taxing unit shall recalculate the amount of the tax due on the property and correct the tax roll. If the tax bill has been mailed and the tax on the property has not been paid, the assessor shall mail a corrected tax bill to the person in whose name the property is listed on the tax roll or to the person's authorized agent. If the tax on the property has been paid, the tax collector for the taxing unit shall refund to the person who paid the tax the amount by which the payment exceeded the tax due.

Amendment No. 1 was adopted.

SB 163, as amended, was passed to third reading.

SB 190 ON SECOND READING

(Zerwas, S. Davis, S. Thompson, and G. Bonnen - House Sponsors)

SB 190, A bill to be entitled An Act relating to the prescription and pharmaceutical substitution of biological products.

SB 190 - POINT OF ORDER

Representative McClendon raised a point of order against further consideration of **SB 190** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the bill analysis is incorrect.

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

Representative McClendon raised a point of order against further consideration of **SB 190** under Rule 4, Section 32(c)(3) of the House Rules asserting the bill analysis incorrectly states whether the bill contains an express delegation of rulemaking authority. The point of order is sustained.

The bill analysis states that rulemaking authority is expressly granted in Sections 5, 11, and 12 of the bill. Representative McClendon asserts that Sections 5 and 11 do not expressly grant new rulemaking authority. Having reviewed the bill, the chair determines that the grants of rulemaking authority quoted in Sections 5 and 11 are not express grants of new rulemaking authority. See 83 H.J. Reg. 3000 (2013); 83 H.J. Reg. 874, 875 (2013).

SB 190 was returned to the Committee on Public Health.

SB 345 ON SECOND READING
(Parker - House Sponsor)

SB 345, A bill to be entitled An Act relating to the abolition of the state boot camp program.

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. 6).

SB 345 - (consideration continued)

Amendment No. 1

Representatives Toth and Parker offered the following amendment to **SB 345**:

Amend **SB 345** by adding the following appropriately numbered SECTIONS to the bill and renumbering the remaining SECTIONS of the bill accordingly:

SECTION _____. Section 501.009, Government Code, is amended to read as follows:

Sec. 501.009. VOLUNTEER AND FAITH-BASED ORGANIZATIONS; REPORT. (a) The department shall adopt a policy that requires each warden to identify [actively encourage] volunteer and faith-based organizations that [to] provide [the following] programs for inmates housed in facilities operated by the department. The policy must require each warden to actively encourage volunteer and faith-based organizations to provide the following programs for inmates in the warden's facility:

- (1) literacy and education programs;
- (2) life skills programs;
- (3) job skills programs;
- (4) parent-training programs;
- (5) drug and alcohol rehabilitation programs;
- (6) support group programs;
- (7) arts and crafts programs; and

(8) other programs determined by the department to aid inmates in the transition between confinement and society and to reduce incidence of recidivism among inmates.

(b) The policy must require that each warden submit a report to the board not later than December 31 of each year that includes, for the preceding fiscal year, a summary of:

(1) the programs provided to inmates under this section; and

(2) the actions taken by the warden to identify volunteer and faith-based organizations willing to provide programs to inmates and to encourage those organizations to provide programs in the warden's facility.

SECTION _____. Not later than December 1, 2013, the Texas Department of Criminal Justice shall adopt the policy, including a schedule for implementing the policy, required by Section 501.009, Government Code, as amended by this Act.

Amendment No. 1 was adopted.

SB 345, as amended, was passed to third reading.

SB 369 ON SECOND READING
(Burnam - House Sponsor)

SB 369, A bill to be entitled An Act relating to certain information available to the public on a central database containing information about sex offenders.

SB 369 was passed to third reading. (Anderson, Herrero, Hunter, and Phillips recorded voting no.)

SB 504 ON SECOND READING
(S. King - House Sponsor)

SB 504, A bill to be entitled An Act relating to the requirement that certain schoolchildren be screened for abnormal spinal curvature.

SB 504 was passed to third reading.

SB 656 ON SECOND READING
(Button, Bohac, and Hilderbran - House Sponsors)

SB 656, A bill to be entitled An Act relating to providing transparency in the budget adoption process of municipalities and counties.

Amendment No. 1

Representative Button offered the following amendment to **SB 656**:

Amend **SB 656** (house committee printing) as follows:

(1) On page 1, line 6, strike "Subsection (d)" and substitute "Subsections (d) and (e)".

(2) On page 2, lines 21-22, strike "bonds and other debt obligations owed by the municipality" and substitute "municipal debt obligations".

(3) On page 2, between lines 22 and 23, insert the following:

(e) In this section, "debt obligation" means an issued public security as defined by Section 1201.002, Government Code, secured by property taxes.

(4) On page 3, line 18, strike "Subsection (d)" and substitute "Subsections (d) and (e)".

(5) On page 5, lines 3-4, strike "bonds and other debt obligations owed by the county" and substitute "county debt obligations".

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

(e) In this section, "debt obligation" means an issued public security as defined by Section 1201.002, Government Code, secured by property taxes.

(7) On page 5, line 26, strike "Subsection (d)" and substitute "Subsections (d) and (e)".

(8) On page 7, lines 11-12, strike "bonds and other debt obligations owed by the county" and substitute "county debt obligations".

(9) On page 7, between lines 12 and 13, insert the following:

(e) In this section, "debt obligation" means an issued public security as defined by Section 1201.002, Government Code, secured by property taxes.

(10) On page 8, line 8, strike "Subsection (c)" and substitute "Subsections (c) and (d)".

(11) On page 9, lines 20-21, strike "bonds and other debt obligations owed by the county" and substitute "county debt obligations".

(12) On page 9, between lines 21 and 22, insert the following:

(d) In this section, "debt obligation" means an issued public security as defined by Section 1201.002, Government Code, secured by property taxes.

Amendment No. 1 was adopted.

SB 656, as amended, was passed to third reading.

SB 628 ON SECOND READING

(Workman, Farney, Isaac, and Kleinschmidt - House Sponsors)

SB 628, A bill to be entitled An Act relating to the creation of regional emergency communications districts; authorizing the issuance of bonds; authorizing a fee.

SB 628 was passed to third reading. (Anderson, Button, Carter, and Hunter recorded voting no.)

SB 1150 ON SECOND READING

(Guerra and Raymond - House Sponsors)

SB 1150, A bill to be entitled An Act relating to a provider protection plan that ensures efficiency and reduces administrative burdens on providers participating in a Medicaid managed care model or arrangement.

Amendment No. 1

Representative Eiland offered the following amendment to **SB 1150**:

Amend **SB 1150** (house committee report) as follows:

(1) On page 2 of the bill, line 6, between "contract" and the underlined semicolon, insert "and this section".

(2) On page 3 of the bill, between lines 20 and 21, insert the following:

(c) To aid in determining proper reimbursement for claims as provided by Subsection (b), a provider, including a pharmacy provider, is entitled to a hearing before the State Office of Administrative Hearings to appeal a confiscatory reimbursement rate of a managed care organization or the organization's

pharmacy benefit manager. A reimbursement rate is considered confiscatory for purposes of this subsection if the rate does not reimburse the provider for reasonable operating expenses, does not provide a reasonable return on the provider's investments, or places in jeopardy the provider's financial integrity. Under this subsection:

(1) if the provider's contract contains a reimbursement dispute resolution process, the parties must spend at least 45 days attempting to resolve the dispute under that process before requesting a hearing under this subsection;

(2) a hearing must be conducted by a hearing officer in the same manner as is provided for contested case hearings under Chapter 2001;

(3) the decision of the hearing officer is final;

(4) the hearing officer may:

(A) assess all or part of the costs of the hearing, not including attorney's fees, against the party or parties that do not substantially prevail, as determined by the hearing officer; and

(B) with the consent of the providers, partially or wholly combine cases that involve the same type of Medicaid provider license and specialty and the same or substantially similar reimbursement issues; and

(5) the hearing officer may not award an amount against a managed care organization to one or more providers that, in the aggregate, exceeds the amount required to be maintained by the managed care organization as adequate reserves to reasonably accommodate such awards as specified by Medicaid program statutes, rules, and contracts in effect on May 1, 2013.

Amendment No. 1 was adopted.

SB 1150, as amended, was passed to third reading. (Anderson, Button, Hunter recorded voting no.)

SB 1226 ON SECOND READING (Perez - House Sponsor)

SB 1226, A bill to be entitled An Act relating to the establishment of an employment-first policy and task force to promote competitive employment opportunities that provide a living wage for individuals with disabilities.

Amendment No. 1

Representative Bell offered the following amendment to **SB 1226**:

Amend **SB 1226** (house committee report) as follows:

(1) On page 3, line 22, strike "and".

(2) On page 3, line 24, between "services" and the period, insert the following:
; and

(12) an employer or a representative of an employer in an industry in which individuals with disabilities might be employed

(3) On page 5, line 21, strike "(b)(10) or (11)" and substitute "(b)(10), (11), or (12)".

Amendment No. 1 was adopted.

SB 1226, as amended, was passed to third reading.

SB 1636 ON SECOND READING**(J. Davis, Lucio, Oliveira, Anderson, and Vo - House Sponsors)**

SB 1636, A bill to be entitled An Act relating to the facilitation and operation of space flight activities in this state.

Representative J. Davis moved to postpone consideration of **SB 1636** until 10 a.m. tomorrow.

The motion prevailed.

SB 644 ON SECOND READING**(Zerwas - House Sponsor)**

SB 644, A bill to be entitled An Act relating to the creation of a standard request form for prior authorization of prescription drug benefits.

Amendment No. 1

Representative Zerwas offered the following amendment to **SB 644**:

Amend **SB 644** (senate engrossed version) as follows:

- (1) On page 2, strike lines 13 through 16.
- (2) On page 2, line 17, strike "(d)" and substitute "(c)".
- (3) On page 2, line 24, strike "(e)" and substitute "(d)".
- (4) On page 3, line 27, strike "or".
- (5) On page 4, strike line 1 and substitute the following:

(5) health and accident coverage provided by a risk pool created under Chapter 172, Local Government Code; or

(6) a workers' compensation insurance policy.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Zerwas offered the following amendment to **SB 644**:

Amend **SB 644** (house committee printing) as follows:

(1) On page 6, lines 16-17, strike "and determine if" and substitute "examine the form's effectiveness and impact on patient safety, and determine whether".

(2) On page 6, strike lines 18 through 21 and substitute the following:

(e) The advisory committee shall be composed of the commissioner of insurance or the commissioner's designee, the executive commissioner of the Health and Human Services Commission or the executive commissioner's designee, and an equal number of members from each of the following groups:

Amendment No. 2 was adopted.

Amendment No. 3

Representative Taylor offered the following amendment to **SB 644**:

Amend **SB 644** (house committee printing) on page 7 by striking lines 1 through 4 and substituting the following:

(7) specialty drug distributors;

(8) health benefit plan issuers for the Texas Health Insurance Pool established under Chapter 1506;

(9) health benefit plan issuers; and

(10) health benefit plan networks of providers.

Amendment No. 3 was adopted.

SB 644, as amended, was passed to third reading.

SB 289 ON SECOND READING

(Schaefer - House Sponsor)

SB 289, A bill to be entitled An Act relating to the approval requirement for a rental-purchase agreement that includes a loss damage waiver provision.

SB 289 was passed to third reading.

SB 1484 ON SECOND READING

(Gonzales, Simmons, and S. Thompson - House Sponsors)

SB 1484, A bill to be entitled An Act relating to health benefit plan coverage for enrollees diagnosed with autism spectrum disorder.

SB 1484 was passed to third reading.

CSSB 1871 ON SECOND READING

(Kuempel - House Sponsor)

CSSB 1871, A bill to be entitled An Act relating to the state cemetery.

Amendment No. 1

Representative Kuempel offered the following amendment to **CSSB 1871**:

Amend **CSSB 1871** (house committee report) as follows:

(1) On page 1, line 11, strike "December 31, 2013" and substitute "December 31, 2014".

(2) Strike page 1, lines 12 through 15, and substitute the following:

(1) the State Cemetery Committee:

(A) makes affirmative findings that:

(i) the property is no longer needed for cemetery purposes; and

(ii) proceeds from a real property transaction involving the property described by this subsection will be used to further the goals of the State Cemetery Committee, including capital improvements or major repairs or renovations to the State Cemetery, or for a purpose described by Subsection (p); and

(B) expressly consents by a majority vote of the committee to remove the dedication; and

Amendment No. 1 was adopted.

CSSB 1871, as amended, was passed to third reading.

CSSB 7 ON SECOND READING
(Raymond - House Sponsor)

CSSB 7, A bill to be entitled An Act relating to improving the delivery and quality of certain health and human services, including the delivery and quality of Medicaid acute care services and long-term services and supports.

Amendment No. 1

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) on page 9, line 18, after "(a)", by adding the following:

In addition, the department may accept and approve a managed care strategy proposal from any qualified entity that is a private services provider if the proposal provides for a comprehensive array of long-term services and supports, including case management and service coordination.

(Kuempel in the chair)

Amendment No. 1 was adopted.

Amendment No. 2

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

- (1) On page 16, line 20, strike "(a)".
- (2) Strike page 16, line 27, through page 17, line 6.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report), on page 33, line 18, between "portal" and "through", by inserting "that is in compliance with state and federal regulations, including standard coding requirements,".

Amendment No. 3 was adopted.

Amendment No. 4

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) on page 33 of the bill as follows:

- (1) On line 21, strike "and".
- (2) On line 24, between "affected" and the underlined period, insert the following:

; and

(9) that a managed care organization providing services under the managed care program, to the greatest extent possible, offers nursing facility providers access to:

(A) acute care professionals; and

(B) telemedicine, when feasible

Amendment No. 4 was adopted.

Amendment No. 5

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 28, line 3, strike "Section" and substitute "Sections 533.0025 and".

(2) On page 30, line 23, strike "and (h)" and substitute "(h), and (i)".

(3) On page 31, between lines 16 and 17, insert the following:

(i) Subject to Section 534.152, the commission shall:

(1) implement the most cost-effective option for the delivery of basic attendant and habilitation services for individuals with disabilities under the STAR + PLUS Medicaid managed care program that maximizes federal funding for the delivery of services for that program and other similar programs; and

(2) provide voluntary training to individuals receiving services under the STAR + PLUS Medicaid managed care program or their legally authorized representatives regarding how to select, manage, and dismiss personal attendants providing basic attendant and habilitation services under the program.

(4) In ARTICLE 2 of the bill, add the following appropriately numbered SECTION and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 2.____. Not later than June 1, 2016, the Health and Human Services Commission shall submit a report to the legislature regarding the commission's experience in, including the cost-effectiveness of, delivering basic attendant and habilitation services for individuals with disabilities under the STAR + PLUS Medicaid managed care program under Section 533.0025(i), Government Code, as added by this article. The commission may combine the report required under this section with the report required under Section 1.06 of this Act.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 39, strike lines 7 and 8 and substitute the following:
shall ensure that the STAR Kids managed care program

(2) On page 39, line 11, strike the underlined semicolon and substitute an underlined period.

(3) On page 39, strike lines 12 through 16.

(4) Strike page 39, line 23, through page 40, line 7.

(5) On page 40, line 8, strike "(g)" and substitute "(e)".

Amendment No. 6 was adopted.

Amendment No. 7

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) as follows:

(1) On page 42, line 8, immediately following "council", insert "in coordination with the commission".

(2) On page 42, lines 9 and 10, strike "and the Department of Aging and Disability Services".

(3) On page 42, line 22, strike "Department of Aging and Disability Services" and substitute "commission".

(4) On page 57, line 12, between "Council" and "shall", insert ", in coordination with the Health and Human Services Commission,".

(5) On page 57, line 18, strike "Department of Aging and Disability Services" and substitute "Health and Human Services Commission".

Amendment No. 7 was adopted.

Amendment No. 8

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) on page 44, lines 13 and 14, by striking "home and community-based services provider", and substituting "group home".

Amendment No. 8 was adopted.

Amendment No. 9

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) as follows:

(1) On page 30, line 23, strike "Subsection (a)" and substitute "Subsections (a) and (b)".

(2) Between page 30, line 27, and page 31, line 1, insert the following:

(b) Except as otherwise provided by this section and notwithstanding any other law, the commission shall provide medical assistance for acute care services through the most cost-effective model of Medicaid capitated managed care as determined by the commission. The [If the] commission shall require mandatory participation in a Medicaid capitated managed care program for all persons eligible for acute care [determines that it is more cost-effective, the commission may provide] medical assistance benefits, but may implement alternative models or arrangements, including a traditional fee-for-service arrangement, if the commission determines the alternative would be more cost-effective or efficient [for acute care in a certain part of this state or to a certain population of recipients using:

~~(1) a health maintenance organization model, including the acute care portion of Medicaid Star + Plus pilot programs;~~

~~(2) a primary care case management model;~~

~~(3) a prepaid health plan model;~~

~~(4) an exclusive provider organization model; or~~

~~(5) another Medicaid managed care model or arrangement].~~

(3) Add the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumber subsequent SECTIONS of the ARTICLE appropriately:

SECTION 2. _____. Section 32.0212, Human Resources Code, is amended to read as follows:

Sec. 32.0212. DELIVERY OF MEDICAL ASSISTANCE. Notwithstanding any other law and subject to Section 533.0025, Government Code, the department shall provide medical assistance for acute care services through the Medicaid managed care system implemented under Chapter 533, Government Code, or another Medicaid capitated managed care program.

Amendment No. 9 was adopted.

Amendment No. 10

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 31, line 5, between "plan" and the underlined semicolon, insert "chosen by the applicant".

(2) On page 31, line 14, between "plan" and the underlined period, insert "chosen by the applicant".

Amendment No. 10 was adopted.

Amendment No. 11

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) as follows:

(1) On page 43, lines 6-7, strike "Subsection (a), Section 533.005, Government Code, is amended" and substitute "Subsections (a) and (a-1), Section 533.005, Government Code, are amended".

(2) On page 49, line 16, strike "[~~subject to Subsection (a-1),~~]" and substitute "subject to Subsection (a-1),".

(3) On page 51, between lines 26 and 27, insert the following:

(a-1) The requirements imposed by Subsections (a)(23)(A), (B), and (C) do not apply, and may not be enforced, on and after August 31, 2018 [~~2013~~].

(4) Strike SECTION 2.10 of the bill (page 56, lines ~~16-17~~) and renumber subsequent SECTIONS of the bill accordingly.

Amendment No. 11 was adopted.

Amendment No. 12

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 44, line 15, strike "21st" and substitute "30th".

(2) On page 44, between lines 23 and 24, insert the following:

(7-a) a requirement that the managed care organization demonstrate to the commission that the organization pays claims described by Subdivision (7)(A)(ii) on average not later than the 21st day after the date the claim is received by the commission;

(3) On page 46, line 14, strike "and" and substitute "[~~and~~]".

(4) On page 46, line 17, immediately after the semicolon, insert the following:

; and

(D) the managed care organization to allow a provider with a claim that has not been paid before the time prescribed by Subdivision (7)(A)(ii) to initiate an appeal of that claim;

Amendment No. 12 was adopted.

Amendment No. 13

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) by striking page 54, line 27, through page 55, line 1, and substituting the following:
adequacy;

(F) trends in claims processing; and

(G) other issues as requested by the executive

Amendment No. 13 was adopted.

Amendment No. 14

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 63, line 9, between "with" and "intellectual", insert "disabilities, including individuals with".

(2) On page 63, line 27, between "with" and "intellectual", insert "disabilities, including individuals with".

Amendment No. 14 was adopted.

Amendment No. 15

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

(1) On page 69, line 1, strike "all".

(2) On page 72, line 24, strike "all".

(3) On page 77, line 24, strike "all".

Amendment No. 15 was adopted.

Amendment No. 16

Representative Raymond offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) on page 86, line 11, by striking "A" and substituting "Except as otherwise provided by law and to the extent funding is available, a ~~A~~".

Amendment No. 16 was adopted.

Amendment No. 17

Representative Price offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) on page 39, between lines 2 and 3, by inserting the following:

(b-1) The commission may require that care management services made available as provided by Subsection (b)(7):

- (1) incorporate best practices, as determined by the commission;
- (2) integrate with a nurse advice line to ensure appropriate redirection rates;
- (3) use an identification and stratification methodology that identifies recipients who have the greatest need for services;
- (4) provide a care needs assessment for a recipient that is comprehensive, holistic, consumer-directed, evidence-based, and takes into consideration social and medical issues, for purposes of prioritizing the recipient's needs that threaten independent living;
- (5) are delivered through multi-disciplinary care teams located in different geographic areas of this state that use in-person contact with recipients and their caregivers;
- (6) identify immediate interventions for transition of care;
- (7) include monitoring and reporting outcomes that, at a minimum, include:
 - (A) recipient quality of life;
 - (B) recipient satisfaction; and
 - (C) other financial and clinical metrics determined appropriate by the commission; and
- (8) use innovations in the provision of services.

Amendment No. 17 was adopted.

Amendment No. 18

Representative Klick offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) as follows:

- (1) On page 6, line 1, strike "or the Medicaid ICF-IID program" and substitute ", individuals with intellectual and developmental disabilities who are recipients of services under the ICF-IID program,".
- (2) On page 16, line 10, between "program" and "and", insert "or an ICF-IID program".
- (3) On page 23, strike lines 6 through 8 and substitute the following:
 - (B) long-term services and supports to recipients who choose to continue receiving benefits under a waiver program or the ICF-IID program as provided by Subsection (g); or
- (4) On page 23, line 11, strike "only".
- (5) On page 24, lines 10 and 11, strike "only under the Medicaid waiver programs" and substitute "under the Medicaid waiver programs or the ICF-IID program".
- (6) On page 24, line 15, between "program" and "the", insert "or the ICF-IID program".
- (7) On page 24, line 17, between "program" and the underlined semicolon, insert "or the ICF-IID program".
- (8) On page 22, line 2, strike "and".
- (9) On page 22, line 6, between "providers" and the underlined period, insert the following:
 - ; and

(3) provides access to a member services phone line for individuals or their legally authorized representatives to obtain information on and assistance with accessing services through network providers, including providers of primary, specialty, and other long-term services and supports

(10) On page 25, line 4, strike "and".

(11) On page 25, line 8, between "providers" and the underlined period, insert the following:
; and

(3) provides access to a member services phone line for individuals or their legally authorized representatives to obtain information on and assistance with accessing services through network providers, including providers of primary, specialty, and other long-term services and supports.

(12) On page 63, line 16, between "(2)" and "non-provider-owned" by inserting "provider-owned and".

(13) On page 25, between lines 8 and 9, by inserting the following:

Sec. 534.203. RESPONSIBILITIES OF COMMISSION. In administering this subchapter, the commission shall ensure:

(1) that the commission is responsible for setting the minimum reimbursement rate paid to a provider of ICF-IID services or a provider of home and community-based residential waiver services under the integrated managed care system including the staff rate enhancement paid to a provider of ICF-IID or a provider of home and community-based residential waiver services;

(2) that an ICF-IID service provider or a provider of home and community-based residential waiver services is paid not later than the 10th day after the date the facility submits a clean claim in accordance with the criteria used by the department for the reimbursement of ICF-IID service providers or a provider of home and community-based residential waiver services; and

(3) the establishment of an electronic portal through which providers of ICF-IID services or a provider of home and community-based residential waiver services participating in the STAR + PLUS Medicaid managed care program delivery model, or the most appropriate integrated capitated managed care program delivery model determined by the commission, may submit long-term services and supports claims to any participating managed care organization.

Amendment No. 18 was adopted.

Amendment No. 19

Representative Workman offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) on page 34, between lines 11 and 12, by inserting the following subsection and renumbering remaining subsections accordingly:

(f) A managed care organization may not require prior authorization for a nursing facility resident in need of emergency hospital services.

Amendment No. 19 was adopted.

Amendment No. 20

Representative Klick offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 2 of the bill and renumbering subsequent SECTIONS of ARTICLE 2 accordingly:

SECTION 2. ____ . INTERIM STUDY REGARDING STAR + PLUS EXPANSION IN NURSING FACILITIES. (a) A select interim committee is created to study and review:

(1) the requirement under Section 533.00251(c), Government Code, as added by this Act, that medical assistance program recipients who reside in nursing facilities receive nursing facility benefits through the STAR + PLUS Medicaid managed care program; and

(2) the implementation of that requirement.

(b) The committee is composed of members of each standing committee of the legislature with jurisdiction over health and human services. Not later than October 1, 2013, the chair of each standing committee of the legislature with jurisdiction over health and human services shall appoint as many members to the select interim committee as each chair considers necessary to complete the committee's purposes.

(c) Not later than December 1, 2013, the members appointed to the committee shall select from among the committee members a presiding officer of the committee. The committee shall convene at the call of the presiding officer.

(d) The committee has all other powers and duties provided to a special or select committee by the rules of the senate and house of representatives, by Subchapter B, Chapter 301, Government Code, and by policies of the senate and house committees on health and human services.

(e) Not later than January 15, 2015, the committee shall report the committee's findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor. The committee shall include in its recommendations specific statutory, rule, and procedural changes that appear necessary from the results of the committee's study under Subsection (a) of this section.

(f) The committee is abolished January 20, 2015.

Amendment No. 20 was adopted.

Amendment No. 21

Representative N. Gonzalez offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumbering subsequent SECTIONS in ARTICLE 6 of the bill accordingly:

SECTION 6. ____ . Section 32.053, Human Resources Code, is amended by adding Subsection (i) to read as follows:

(i) To the extent allowed by the General Appropriations Act, the Health and Human Services Commission may transfer general revenue funds appropriated to the commission for the medical assistance program to the Department of Aging

and Disability Services to provide PACE services in PACE program service areas to recipients whose medical assistance benefits must be delivered through the STAR + PLUS Medicaid managed care program and whose personal incomes are at or below the level of income required to receive Supplemental Security Income (SSI) benefits under 42 U.S.C. Section 1381 et seq.

Amendment No. 21 was withdrawn.

Amendment No. 22

Representative N. Gonzalez offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee report) by adding the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumbering subsequent SECTIONS in ARTICLE 6 of the bill accordingly:

SECTION 6. _____. Section 32.053, Human Resources Code, is amended by adding Subsection (i) to read as follows:

(i) To the extent allowed by the General Appropriations Act, the Health and Human Services Commission may transfer general revenue funds appropriated to the commission for the medical assistance program to the Department of Aging and Disability Services to provide PACE services in PACE program service areas to eligible recipients whose medical assistance benefits would otherwise be delivered as home and community-based services through the STAR + PLUS Medicaid managed care program and whose personal incomes are at or below the level of income required to receive Supplemental Security Income (SSI) benefits under 42 U.S.C. Section 1381 et seq.

Amendment No. 22 was adopted.

Amendment No. 23

Representative J. Sheffield offered the following amendment to **CSSB 7**:

Amend **CSSB 7** on page 8, between lines 11 and 12, by inserting the following:

Sec. 534.055. REPORT ON ROLE OF LOCAL INTELLECTUAL AND DEVELOPMENTAL DISABILITY AUTHORITIES AS SERVICE PROVIDERS. (a) The commission and department shall submit a report to the legislature not later than December 1, 2014, that includes the following information:

(1) the percentage of services provided by each local intellectual and developmental disability authority to individuals receiving ICF-IID or Medicaid waiver program services, compared to the percentage of those services provided by private providers;

(2) the types of evidence provided by local intellectual and developmental disability authorities to the department to demonstrate the lack of available private providers in areas of the state where local authorities provide services to more than 40 percent of the Texas home living (TxHmL) waiver program clients or 20 percent of the home and community-based services (HCS) waiver program clients;

(3) the types and amounts of services received by clients from local intellectual and developmental disability authorities compared to the types and amounts of services received by clients from private providers;

(4) the provider capacity of each local intellectual and developmental disability authority as determined under Section 533.0355(d), Health and Safety Code;

(5) the number of individuals served above or below the applicable provider capacity by each local intellectual and developmental disability authority; and

(6) if a local intellectual and developmental disability authority is serving clients over the authority's provider capacity, the length of time the local authority has served clients above their approved provider capacity.

(b) This section expires September 1, 2015.

Amendment No. 23 was adopted.

Amendment No. 24

Representative Coleman offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by striking SECTION 6.06 of the bill (page 86, line 8, through page 88, line 5) and substituting the following:

SECTION 6.06. Section 533.0354, Health and Safety Code, is amended by adding Subsections (a-1), (a-2), and (b-1) to read as follows:

(a-1) In addition to the services required under Subsection (a) and using money appropriated for that purpose or money received under the Texas Health Care Transformation and Quality Improvement Program 1115 waiver, a local mental health authority may ensure, to the extent feasible, the provision of assessment services, crisis services, and intensive and comprehensive services using disease management practices for children with serious emotional, behavioral, or mental disturbance not described by Subsection (a) and adults with severe mental illness who are experiencing significant functional impairment due to a mental health disorder not described by Subsection (a) that is defined by the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-5), including:

(1) major depressive disorder, including single episode or recurrent major depressive disorder;

(2) post-traumatic stress disorder;

(3) schizoaffective disorder, including bipolar and depressive types;

(4) obsessive compulsive disorder;

(5) anxiety disorder;

(6) attention deficit disorder;

(7) delusional disorder;

(8) bulimia nervosa, anorexia nervosa, or other eating disorders not otherwise specified; or

(9) any other diagnosed mental health disorder.

(a-2) The local mental health authority shall ensure that individuals described by Subsection (a-1) are engaged with treatment services in a clinically appropriate manner.

(b-1) The department shall require each local mental health authority to incorporate jail diversion strategies into the authority's disease management practices to reduce the involvement of the criminal justice system in managing adults with the following disorders as defined by the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-5), who are not described by Subsection (b):

- (1) post-traumatic stress disorder;
- (2) schizoaffective disorder, including bipolar and depressive types;
- (3) anxiety disorder; or
- (4) delusional disorder.

Amendment No. 24 was adopted.

Amendment No. 25

Representative Leach offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumbering the subsequent SECTIONS of the ARTICLE accordingly:

SECTION 6.____. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02121 to read as follows:

Sec. 32.02121. LIMITATION ON PROVISION OF MEDICAL ASSISTANCE. Notwithstanding any other law, the department may not provide medical assistance to any person who would not have been eligible for that assistance and for whom federal matching funds were not available under the eligibility criteria for medical assistance in effect on December 31, 2013.

Amendment No. 25 - Point of Order

Representative Burnam raised a point of order against further consideration of Amendment No. 25 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

The point of order was withdrawn.

Amendment No. 25 - Point of Order

Representative N. Gonzalez raised a point of order against further consideration of Amendment No. 25 under Rule 8, Section 3 of the House Rules on the grounds that it violates the one-subject rule.

The point of order was withdrawn.

Amendment No. 25 was withdrawn.

Amendment No. 26

Representative Leach offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) by adding the following appropriately numbered SECTION to ARTICLE 6 of the bill and renumbering the subsequent SECTIONS of the ARTICLE accordingly:

SECTION 6.____. Subchapter B, Chapter 32, Human Resources Code, is amended by adding Section 32.02121 to read as follows:

Sec. 32.02121. LIMITATION ON PROVISION OF MEDICAL ASSISTANCE. Notwithstanding any other law, the department may not provide medical assistance to any person who would not have been eligible for that assistance and for whom federal matching funds were not available under the eligibility criteria for medical assistance in effect on December 31, 2013.

Amendment No. 26 - Point of Order

Representative Burnam raised a point of order against further consideration of Amendment No. 26 under Rule 11, Section 2 of the House Rules on the grounds that the amendment is not germane to the bill.

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

Representative Burnam raised a point of order against further consideration of Amendment No. 26 to **CSSB 7** asserting the amendment was not germane. See Rule 11, Section 2 of the House Rules. **CSSB 7** relates to delivery and quality of long-term and Acute Care Medicaid services. Because Amendment No. 26 addresses who is eligible to receive the long-term and Acute Care Medicaid services addressed by the bill, the chair determines that the amendment is germane to **CSSB 7**.

Amendment No. 26 - Point of Order

Representatives M. Gonzalez and Collier raised a point of order against further consideration of Amendment No. 26 under Rule 8, Section 3 of the House Rules on the grounds that it violates the one-subject rule.

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

Representative M. González and Representative Collier raised a point of order that the addition of Amendment No. 26 would cause the bill to violate Rule 8, Section 3's one-subject requirement. These points of order are respectfully overruled.

CSSB 7 relates to delivery and quality of long-term and Acute Care Medicaid services. Because Amendment No. 26 addresses who is eligible to receive the long-term and Acute Care Medicaid services addressed by the bill, the chair determines that the amendment is germane to **CSSB 7** and would not add a second subject to the bill.

Representative Raymond moved to table Amendment No. 26.

The motion to table was lost by (Record 997): 59 Yeas, 87 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Burnam; Canales; Coleman; Collier; Cook; Cortez; Davis, J.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Farias; Farrar; Giddings; González, M.; Gonzalez, N.; Guerra; Guillen; Gutierrez; Hernandez Luna; Herrero; Howard; Johnson; King, T.; Longoria; Lucio; Márquez; Martinez; Martinez Fischer; McClendon; Menéndez; Miles; Moody;

Muñoz; Naishtat; Nevárez; Oliveira; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Sheffield, J.; Strama; Thompson, S.; Turner, C.; Turner, S.; Villarreal; Vo; Walle; Wu; Zerwas.

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

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

Absent — Callegari; Pitts.

Amendment No. 26 was adopted by (Record 998): 87 Yeas, 57 Nays, 2 Present, not voting.

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

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

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

Absent — Callegari; Hunter; King, S.; Vo.

STATEMENTS OF VOTE

When Record No. 998 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

When Record No. 998 was taken, I was in the house but away from my desk. I would have voted yes.

S. King

I was shown voting yes on Record No. 998. I intended to vote no.

Miles

I was shown voting no on Record No. 998. I intended to vote yes.

Perry

When Record No. 998 was taken, I was in the house but away from my desk. I would have voted no.

Vo

Amendment No. 27

Representative Naishtat offered the following amendment to **CSSB 7**:

Amend **CSSB 7** (house committee printing) in ARTICLE 6 of the bill by adding the following appropriately numbered SECTIONS to the ARTICLE and renumbering subsequent SECTIONS of the ARTICLE accordingly:

SECTION 6. _____. Section 31.002(a)(3), Health and Safety Code, is amended to read as follows:

(3) "Other benefit" means a benefit, other than a benefit provided under this chapter, to which an individual is entitled for payment of the costs of primary health care services, including benefits available from:

(A) an insurance policy, group health plan, or prepaid medical care plan;

(B) Title XVIII, ~~or~~ XIX, or XXI of the Social Security Act (42 U.S.C. Section 1395 et seq., ~~or~~ Section 1396 et seq., or Section 1397aa et seq.); or

(C) ~~the Veterans Administration;~~
~~(D) the Civilian Health and Medical Program of the Uniformed Services;~~

~~(E) workers' compensation or any other compulsory employers' insurance program;~~

~~(F)~~ a public program created by federal or state law, or by an ordinance or rule of a municipality or political subdivision of the state, excluding benefits created by the establishment of a municipal or county hospital, a joint municipal-county hospital, a county hospital authority, a hospital district, or the facilities of a publicly supported medical school~~;~~~~or~~

~~(G) a cause of action for medical, facility, or medical transportation expenses, or a settlement or judgment based on the cause of action, if the expenses are related to the need for services provided under this chapter].~~

SECTION 6.____. Section 31.003(g), Health and Safety Code, is amended to read as follows:

(g) The department shall ensure that an approved service provider makes every reasonable effort to collect appropriate reimbursement for its costs in providing primary health care services to persons who are entitled to receive other benefits ~~[board should require that the services provided under this chapter be reserved to the greatest extent possible for low-income individuals who are not eligible for similar services through any other publicly funded program].~~

Amendment No. 27 was adopted.

CSSB 7, as amended, was passed to third reading by (Record 999): 140 Yeas, 7 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; 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; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Eiland; Elkins; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Geren; Giddings; Goldman; González, M.; Gonzalez, N.; Gooden; Guerra; Gutierrez; Harless; Harper-Brown; Hernandez Luna; Herrero; Hilderbran; Howard; Huberty; Hughes; 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; 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; Ratliff; Raymond; Reynolds; Riddle; Ritter; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Sheets; Sheffield, J.; Sheffield, R.; Simmons; Simpson; Smith; Smithee; Springer; Stephenson; Stickland; 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; Dale; Gonzales; Guillen; Nevárez; Strama.

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

Absent — Hunter.

STATEMENTS OF VOTE

I was shown voting no on Record No. 999. I intended to vote yes.

Alvarado

When Record No. 999 was taken, I was in the house but away from my desk. I would have voted yes.

Hunter

(Geren in the chair)

CSSB 1623 ON SECOND READING
(Guerra - House Sponsor)

CSSB 1623, A bill to be entitled An Act relating to the creation and operations of health care funding districts in certain counties located on the Texas-Mexico border.

Amendment No. 1

Representative Guerra offered the following amendment to **CSSB 1623**:

Amend **CSSB 1623** (house committee printing) as follows:

(1) On page 7, line 20, between "be" and "proportionate", insert "uniformly".

(2) On page 7, line 21, strike "a" and substitute "each".

(3) On page 7, line 21, between "hospital" and the period, insert "in the district".

Amendment No. 1 was adopted.

CSSB 1623, as amended, was passed to third reading.

SB 1169 ON SECOND READING
(D. Bonnen - House Sponsor)

SB 1169, A bill to be entitled An Act relating to water conservation.

Amendment No. 1

Representatives D. Bonnen, Ritter, G. Bonnen, Zerwas, Eiland, McClendon, and E. Thompson offered the following amendment to **SB 1169**:

Amend **SB 1169** (house committee report) as follows:

On page 1, line 10, strike "2023" and insert "2015".

Strike SECTION 2 - SECTION 8 (page 1, line 11 - page 3, line 15), replace with the following and renumber remaining sections accordingly:

SECTION 2. Amend Section 10.002, Water Code, to read as follows:

Sec. 10.002. PURPOSE. The council is created to provide the governor, lieutenant governor, speaker of the house of representatives, legislature, board, commission, political subdivisions, ~~and~~ public, and watermasters with the resource of a select council with expertise in water conservation.

SECTION 3. Amend Chapter 11, Water Code, by adding Subchapter L to read as follows:

SUBCHAPTER L. BRAZOS RIVER WATERMASTER PROGRAM

Sec. 11.570. DEFINITIONS. In this subchapter:

(1) "Advisory committee" means the Brazos River Watermaster Advisory Committee appointed under Section 11.572.

(2) "Executive Director" means the executive director of the Texas Commission on Environmental Quality.

(3) "Program" means the Brazos River Watermaster Program established by the Texas Commission on Environmental Quality and operating pursuant to rules and regulations promulgated by the Texas Commission on Environmental Quality.

(4) "Water right holder" means a person who holds a certificated right in water under the jurisdiction of the watermaster acting under this subchapter.

(5) "Water user" means a person, including a water right holder, who uses water under the jurisdiction of the watermaster acting under this subchapter.

Sec. 11.571. POWERS AND DUTIES OF BRAZOS WATERMASTER (a) The commission shall create a water division in the Brazos River basin that includes the segment of the Brazos River from Possum Kingdom Reservoir and below.

(b) The executive director shall appoint a watermaster for the water division created under Subsection (a).

(c) The duties of the watermaster appointed under this section include:

(1) water conservation as necessary to prevent the waste of water;

and

(2) those duties outlined in Section 11.327 of this code.

Sec. 11.572. BRAZOS RIVER WATERMASTER ADVISORY COMMITTEE. (a) The executive director shall establish a watermaster advisory committee for the Brazos River Watermaster in accordance with Section 11.3261 of this chapter.

(b) Notwithstanding any other law, the executive director shall ensure that agricultural water users are represented on the advisory committee.

Sec. 11.573. FEES. (a) Until September 1, 2016, the compensation and expenses of the watermaster appointed under this subchapter shall be paid by those water right holders whose aggregate water rights in the segment of the basin with a watermaster equal not less than 300,000 acre feet. Each water right holder subject to this subsection shall pay the fee in proportion to the maximum permitted consumptive use allowed under their aggregate water rights.

(b) After September 1, 2016, the compensation and expenses of the watermaster shall be equitably apportioned to the water right holders in the segment of the basin with a watermaster on an annual basis, except that an annual fee assessed by the commission to fund the program shall not:

(1) exceed \$120 for the holder of a right to appropriate water for agricultural use; or

(2) be assessed against a person who takes water solely for domestic or livestock purposes.

(c) A state agency with a water right in the Brazos River basin is exempt from paying the fees under this section.

Sec. 11.574. REFERENDUM; BRAZOS WATERMASTER. (a) On or after September 1, 2017, a water right holder in the segment of the Brazos River basin with a watermaster may petition the advisory committee to conduct a referendum on the continuation of the program.

(b) The advisory committee shall conduct a referendum if it receives a petition signed by at least 50 percent of the water right holders.

(c) A referendum under this section must be held on a uniform election date, as provided by Section 41.001, Election Code.

(d) Only current water right holders in the segment of the Brazos River with a watermaster are eligible to vote in the referendum.

(e) If at least 60 percent of the votes in the referendum favor discontinuing the program, the program shall be discontinued.

(f) A referendum under this section cannot be held more than once every four years.

(g) For purposes of this section, a water right holder shall be considered as one water right holder regardless of the number of amount of water rights held under a permit or certificate of adjudication.

Sec. 11.575. APPLICABILITY OF OTHER LAW AND COMMISSION RULES. A provision of this code or a rule adopted by the commission that relates to watermasters and does not conflict with the provisions of this subchapter applies to program established under this subchapter.

Amendment No. 1 was adopted.

SB 1169, as amended, was passed to third reading.

SB 1185 ON SECOND READING

(S. Thompson - House Sponsor)

SB 1185, A bill to be entitled An Act relating to the creation of a mental health jail diversion pilot program.

SB 1185 was passed to third reading.

(Kacal in the chair)

CSSB 268 ON SECOND READING

(Smithee - House Sponsor)

CSSB 268, A bill to be entitled An Act relating to the application of the professional prosecutors law to the district attorney for the 287th Judicial District and the county attorney of Oldham County.

CSSB 268 was passed to third reading.

SB 1727 ON SECOND READING

(Isaac, Reynolds, and Harless - House Sponsors)

SB 1727, A bill to be entitled An Act relating to the use of the Texas emissions reduction plan fund.

Amendment No. 1

Representative Isaac offered the following amendment to **SB 1727**:

Amend **SB 1727** (house committee report) as follows:

- (1) On page 2, line 18, after the semicolon, add "and".
- (2) Strike page 2, lines 19-21, and substitute the following:
 - (15) the drayage truck incentive program established
- (3) On page 3, line 14, strike "at port facilities or servicing port facilities" and substitute "at seaport facilities or servicing seaport facilities".
- (4) On page 3, line 15, add "and" after the semicolon.
- (5) On page 3, line 17, strike "drilling" and substitute "drilling, production, completions".
- (6) On page 3, line 21, strike "; and" and substitute "."

(7) Strike page 3, line 22, through page 4, line 3.

(8) On page 6, line 15, strike "gross".

(9) On page 7, line 7, between "2013," and "by the", insert "or a later date established by the commission,".

(10) On page 7, line 27, strike "gross".

(11) On page 9, lines 1 and 2, strike "~~[as listed for the commission under Section 386.155]~~" and substitute "as listed for the commission under Section 386.155".

(12) On page 9, strike lines 24-26 and substitute the following:

Sec. 386.181. DEFINITION; RULES. (a) In this subchapter, "drayage truck" means a truck that transports a load to or from a seaport or rail yard.

(b) The commission may include more specific definitions in the rules or guidelines developed to implement the program established by this subchapter in order to reduce emissions in and around seaports in a nonattainment area.

(13) On page 10, lines 11-12, strike "and that the truck operates at a port, distribution center, or rail yard." and substitute "as determined by the commission and that the truck operates at a seaport or rail yard."

(14) On page 10, lines 22-23, strike "port, distribution center, or rail yard in a nonattainment area or affected county" and substitute "seaport or rail yard in a nonattainment area".

(15) On page 11, line 1, strike "or affected county".

(16) On page 11, line 15, strike "port, distribution center," and substitute "seaport".

(17) Strike page 11, line 24, through page 13, line 17.

(18) On page 14, strike lines 22-24 and renumber subsequent subdivisions of amended Section 386.252(a), Health and Safety Code, and the reference to Section 386.252(a)(16) on page 2, line 5, accordingly.

(19) On page 19, strike lines 22 and 23 and substitute the following:

(3) electricity storage projects related to renewable energy, including projects to store electricity produced from wind and solar generation that provide efficient means of making the stored energy available during periods of peak energy use.

(20) On page 21, line 21, strike "Subsections (a), (b), (c), and (d),".

(21) On page 21, lines 23-24, strike "are amended to read as follows:" and substitute "is amended by amending Subsections (a), (b), (c), and (d) and adding Subsection (f-1) to read as follows:".

(22) On page 23, between lines 14 and 15, insert the following:

(f-1) An application for a grant under this section must include a certification that the applicant complies with laws, rules, guidelines, and requirements applicable to taxation of fuel provided by the applicant at each fueling facility owned or operated by the applicant. The commission may terminate a grant awarded under this section without further obligation to the grant recipient if the commission determines that the recipient did not comply with a law, rule, guideline or requirement described by this subsection. This subsection does not create a cause of action to contest an application or award of a grant.

(23) On page 24, strike lines 2-3 and substitute the following:

(2) Section 386.154, Health and Safety Code;

(24) Add the following appropriately numbered section to the bill:

SECTION _____. Section 386.104, Health and Safety Code, is amended by adding Subsection (f-1) to read as follows:

(f-1) The commission may establish minimum percentage reduction standards alternative to the standards established under Subsection (f) as an incentive for the conversion of heavy-duty diesel on-road vehicle engines to operate under a dual-fuel configuration that uses natural gas and diesel fuels through an alternative fuel conversion system certified by the United States Environmental Protection Agency. In determining the emissions rate of the converted vehicle and engine to compute the emissions reductions that can be attributed to the conversion system, the commission may take into account whether the emissions certification requirements for the conversion system prevent fully accounting for the emissions reductions. If the commission determines it to be necessary and appropriate, the commission may consider under this subsection certified engine test information that demonstrates nitrogen oxides emissions reductions and other information to verify the emissions reductions.

(25) Renumber the sections of the bill appropriately.

Amendment No. 1 was adopted.

Amendment No. 2

On behalf of Representative Kacal, Representative Isaac offered the following amendment to **SB 1727**:

Amend **SB 1727** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 386, Health and Safety Code, is amended by adding Section 386.0515 to read as follows:

Sec. 386.0515. AGRICULTURAL PRODUCT TRANSPORTATION PROJECTS. (a) In this section, "agricultural product transportation" means the transportation of a raw agricultural product from the place of production using a heavy-duty truck to:

(1) a nonattainment area;

(2) an affected county;

(3) a destination inside the clean transportation triangle; or

(4) a county adjacent to a county described by Subdivision (2) or that contains an area described by Subdivision (1) or (3).

(b) Notwithstanding other eligibility requirements, the commission shall by rule or policy provide specific eligibility requirements under the Texas Clean Fleet Program established under Chapter 392 and under the Texas Natural Gas Vehicle Grant Program established under Chapter 394, as added by Chapter 892 (SB 385), Acts of the 82nd Legislature, Regular Session, 2011, for projects relating to agricultural product transportation.

(c) The determining factor for eligibility for participation in a program established under Chapter 392 or Chapter 394, as added by Chapter 892 (SB 385), Acts of the 82nd Legislature, Regular Session, 2011, for a project relating to agricultural product transportation is the overall accumulative net reduction in emissions of oxides of nitrogen in a nonattainment area, an affected county, or the clean transportation triangle.

Amendment No. 2 was adopted.

(Speaker pro tempore in the chair)

Amendment No. 3

Representative McClendon offered the following amendment to **SB 1727**:

Amend **SB 1727** (house committee report) as follows:

(1) On page 24, line 11, strike "and".

(2) On page 24, line 14, between "2011" and the period, insert the following:

; and

(7) Section 501.138(b-3), Transportation Code

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

SECTION _____. (a) Section 501.138, Transportation Code, is amended by amending Subsections (b-1) and (b-2) and adding Subsection (c-1) to read as follows:

(b-1) Fees collected under Subsection (b) to be sent to the comptroller shall be deposited to the credit of the Texas Mobility Fund, except that \$5 of each fee imposed under Subsection (a)(1) [~~and deposited on or after September 1, 2008, and before September 1, 2015,~~] shall be deposited to the credit of the Texas rail relocation and improvement [~~emissions reduction plan~~] fund.

(b-2) The comptroller shall establish a record of the amount of the fees deposited to the credit of the Texas Mobility Fund under Subsection (b-1) and shall monitor transfers to and from the Texas emissions reduction plan fund. On or before the fifth workday of each month, the Texas Department of Transportation [~~department~~] shall remit to the comptroller for deposit to the credit of the Texas emissions reduction plan fund an amount of money, not to exceed [~~equal to~~] the amount of the fees deposited by the comptroller to the credit of the Texas Mobility Fund under Subsection (b-1) in the preceding month, the comptroller determines is necessary to meet amounts appropriated from the Texas emissions reduction plan fund or, after consultation with the Texas Commission on Environmental Quality, if a fee is imposed on stationary sources in a county located in a nonattainment area as provided by 42 U.S.C. Section 7511d, an amount of money not to exceed the amount of the total of fees attributable to applicants for titles, other than the state or political subdivisions of the state, who reside in a county located in a nonattainment area or in an affected county, as described by Subsection (a)(1). The Texas Department of Transportation [~~department~~] shall use for remittance to the comptroller as required by this subsection money in the state highway fund that is not required to be used for a

purpose specified by Section 7-a, Article VIII, Texas Constitution, and may not use for that remittance money received by this state under the congestion mitigation and air quality improvement program established under 23 U.S.C. Section 149. The Texas Transportation Commission may designate for congestion mitigation projects or for deposit to the Texas rail relocation and improvement fund eligible amounts retained in the state highway fund because the amounts were not required to be remitted under this subsection on the condition that the Texas Commission on Environmental Quality, after a public hearing, finds that the use of the funds for those purposes will be at least as effective as other eligible uses of those funds under the Texas emissions reduction plan in maintaining or attaining compliance with the federal Clean Air Act and notifies the Texas Transportation Commission of that finding. Unless that condition is met, the amounts shall be deposited to the credit of the Texas emissions reduction plan fund. The Texas Commission on Environmental Quality by rule shall adopt criteria for making the finding required by this subsection.

(c-1) Money deposited to the Texas rail relocation and improvement fund under Subsections (b-1) and (b-2) may be used to fund an infrastructure project to reduce air pollution and relieve congestion through rail relocation or improvement, including an infrastructure project described by Section 386.109(a)(4), Health and Safety Code.

(b) This section takes effect September 1, 2013.

(4) In SECTION 19 of the bill (page 24, line 15), strike "This" and substitute "Except as otherwise provided by this Act, this".

Representative Isaac moved to table Amendment No. 3.

The motion to table prevailed.

SB 1727 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE LUCIO: I know we spoke about this earlier, but I did want to get it on the record. Your amendment earlier to strike the energy efficiency standard for state facilities only applies to the TERC program, it doesn't apply to the efficiency standards that I established through **HB 51** last session as they relate to SECO, the State Energy Conservation Office, correct?

REPRESENTATIVE ISAAC: That is correct. Only as they apply to the Texas Emissions Reduction Program.

REMARKS ORDERED PRINTED

Representative Lucio moved to print remarks between Representative Isaac and Representative Lucio.

The motion prevailed.

SB 1727 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE PHILLIPS: I just want to make sure that there's nothing in this bill that reaches out and creates any current areas of Texas that are attainment areas. This in no way expands the nonattainment areas, is that correct?

ISAAC: No, it doesn't—the EPA determines what are the nonattainment areas. There are some areas that are geographically close, and this would—based on—give TCEQ the authority that if you have some drilling operations, maybe in the Barnett Shale, that are affecting the nonattainment areas of Dallas and Fort Worth, or if you have some areas in the Eagle Ford that are affecting near nonattainment San Antonio, they can apply for grants under TCEQ. It doesn't mean that they would get accepted to those—and those counties are not nonattainment, or they're not near nonattainment, but they are—with the wind shifting patterns—that they may contribute to pollution in Dallas, in those areas that I mentioned.

PHILLIPS: Nothing in this bill that you're going to do is going to expand the nonattainment areas—and by those governments—or those areas taking that money—that's not going to make those areas become nonattainment areas. Is that correct?

ISAAC: I don't believe the bill has any ability to make an area nonattainment or near nonattainment.

PHILLIPS: That's all we want to make sure. Those that are in attainment areas don't want to be painted by any kind of broadening, by anything you're doing expanding these programs that would then impact them.

ISAAC: The programs are expanded within this bill, but only if they have impact on those nonattainment or near nonattainment areas.

PHILLIPS: And you're sure that, by doing that, you're not—by them participating in the program, you're not going to be expanding—they're not going to be expanded or included in that?

ISAAC: No. The bill can't apply a federally nonattainment area.

PHILLIPS: I just want to make sure, those of us that are in attainment areas—you understand that?

ISAAC: That's my understanding, yes.

PHILLIPS: Okay. And it is not your intent that this bill does that in any way—impact the attainment status of any part of Texas?

ISAAC: No, we're trying to keep the attainment areas already to still maintain attainment. Those that are either near nonattainment or in nonattainment, we're trying to improve those areas.

REMARKS ORDERED PRINTED

Representative Phillips moved to print remarks between Representative Isaac and Representative Phillips.

The motion prevailed.

SB 1727, as amended, was passed to third reading. (Button, Hunter, and Phillips recorded voting no.)

SB 1189 ON SECOND READING
(Fletcher - House Sponsor)

SB 1189, A bill to be entitled An Act relating to the disposition of certain firearms seized by a law enforcement agency.

SB 1189 was passed to third reading.

PROVIDING FOR ADJOURNMENT

At 11:25 p.m., Representatives Crownover and Johnson 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 in memory of Robert J. "Bob" Rogers of Denton and Stanley Wilson of Dallas.

The motion prevailed.

RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 2.)

(Taylor in the chair)

ADJOURNMENT

In accordance with a previous motion, the house, at 11:58 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 197 (By Raymond), Authorizing a proposed interim agreement between the parties of a lawsuit regarding individuals with intellectual disabilities and related conditions residing in or at risk of being admitted to nursing facilities.

To Human Services.

List No. 2

HR 1949 (By Anderson), Congratulating the Lorena High School softball team on winning the District 17-3A championship.

To Rules and Resolutions.

HR 1950 (By Anderson), Congratulating the Panther Band at Midway High School in Waco on earning the UIL Sweepstakes Award.

To Rules and Resolutions.

HR 1951 (By Anderson), Congratulating Elyse Pravel of Waco on her receipt of the Outstanding Youth Citizenship Award from the Rotary Club of Waco and the Waco Tribune-Herald.

To Rules and Resolutions.

HR 1952 (By Anderson), Congratulating Horses for Heroes on winning first place float at the McLennan County Veterans Day Parade.

To Rules and Resolutions.

HR 1953 (By Anderson), Congratulating the Bruceville-Eddy High School softball team on winning the District 21-2A championship.

To Rules and Resolutions.

HR 1954 (By Anderson), Congratulating the Meistersingers at Midway High School in Woodway on winning three Sweepstakes Awards in 2013 UIL competition.

To Rules and Resolutions.

HR 1955 (By G. Bonnen), Congratulating the Clear Creek Independent School District high school robotics team on winning three consecutive regional FIRST tournaments.

To Rules and Resolutions.

HR 1956 (By G. Bonnen), Congratulating the Friendswood Independent School District Communications Department on earning 12 awards from the Texas School Public Relations Association.

To Rules and Resolutions.

HR 1957 (By G. Bonnen), Congratulating Syamantak Payra on tying for first place in the 2013 HoustonPBS Spelling Bee.

To Rules and Resolutions.

HR 1958 (By Murphy), Honoring Robert Teas for his service as a legislative intern in the office of State Representative Jim Murphy.

To Rules and Resolutions.

HR 1959 (By Murphy), Commending Sloan Braband for his service as a legislative intern in the office of Representative Jim Murphy.

To Rules and Resolutions.

HR 1960 (By Murphy), Commending Avery Beach for her service as a legislative intern in the office of State Representative Jim Murphy.

To Rules and Resolutions.

HR 1961 (By Murphy), Honoring Ethan Caudillo for his service as a legislative assistant in the office of Representative Jim Murphy.

To Rules and Resolutions.

HR 1962 (By Murphy), Honoring Jason Briggs for his service as legislative director for Representative Jim Murphy.

To Rules and Resolutions.

HR 1963 (By Murphy), Honoring Sarah Aimad for her service as a legislative intern for Representative Jim Murphy.

To Rules and Resolutions.

HR 1964 (By Murphy), Honoring Kait Roth for her service as a legislative aide for Representative Jim Murphy.

To Rules and Resolutions.

HR 1965 (By Straus), Congratulating Melanie Trostel on her selection as a Distinguished College Scholar by The University of Texas at Austin.

To Rules and Resolutions.

HR 1966 (By Muñoz), Honoring Dylan Matthews of Mission as a participant in the 2013 Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

HR 1967 (By Gutierrez), Commending the City of Live Oak for its efforts to support free running.

To Rules and Resolutions.

HR 1968 (By E. Rodriguez), Honoring Deisy Jaimes of Austin as a participant in the 2013 Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

HR 1969 (By J. Rodriguez), In memory of education advocate Demetrio Rodriguez of San Antonio.

To Rules and Resolutions.

HR 1970 (By J. Rodriguez), Congratulating Kelly Mantle of San Antonio on being named the 2013 Texas Elementary Principals and Supervisors Association Assistant Principal of the Year for District 20.

To Rules and Resolutions.

HR 1971 (By J. Rodriguez), Congratulating Isabel Anaya of Kuentz Elementary School on her selection as a 2013 Campus Super Educator of the Year and the 2013 Trinity Prize for Excellence in Teaching Award nominee from Northside ISD.

To Rules and Resolutions.

HR 1972 (By J. Rodriguez), Congratulating Joe Garay of Valley Hi Elementary School in San Antonio on his selection as a 2013 Educator of the Year.

To Rules and Resolutions.

HR 1973 (By J. Rodriguez), Congratulating Courtney Lemley of Briscoe Middle School in San Antonio on her selection as a 2013 First Year Educator of the Year by the Northside Independent School District.

To Rules and Resolutions.

HR 1974 (By J. Rodriguez), Congratulating Debra Seaman of Thornton Elementary School in San Antonio on her selection as a 2013 Northside ISD Educator of the Year.

To Rules and Resolutions.

HR 1975 (By J. Rodriguez), Congratulating Christian DeBerry of Hobby Middle School in San Antonio on being named a 2013 Northside ISD Educator of the Year.

To Rules and Resolutions.

HR 1976 (By J. Rodriguez), Congratulating Ben Hernandez of Brandeis High School in San Antonio on his selection as a 2013 Northside ISD Educator of the Year.

To Rules and Resolutions.

HR 1977 (By Gooden), In memory of Hattye "Jo" Rogers of Terrell.

To Rules and Resolutions.

HR 1978 (By Howard), Congratulating Dr. Kenneth Shine on his retirement as executive vice chancellor for health affairs for The University of Texas System.

To Rules and Resolutions.

HR 1979 (By T. King), In memory of Loraine J. Haby Neuman of Hondo.

To Rules and Resolutions.

HR 2155 (By S. Thompson), Commemorating the dedication of Ernest McGowen, Sr., Elementary School in the Houston Independent School District.

To Rules and Resolutions.

HR 2156 (By Reynolds), Honoring the Alpha Phi Alpha Fraternity on the occasion of its 107th anniversary and 92nd annual general convention.

To Rules and Resolutions.

HR 2157 (By Hughes), Congratulating Shelly Bullock on her selection as Woman of the Year by the Winnsboro Chamber of Commerce.

To Rules and Resolutions.

HR 2158 (By Hughes), Congratulating Tom Howard on his selection as Man of the Year by the Winnsboro Chamber of Commerce.

To Rules and Resolutions.

HR 2160 (By G. Bonnen), Congratulating the Friendswood High School varsity color guard on its outstanding accomplishments during the 2013 season.

To Rules and Resolutions.

HR 2161 (By G. Bonnen), Congratulating the Friendswood High School Wranglerettes on their outstanding performances at the American Dance/Drill Team National Competition.

To Rules and Resolutions.

HR 2162 (By Huberty), Congratulating Macie Rianne Walters on her graduation from Atascocita High School.

To Rules and Resolutions.

HR 2163 (By Huberty), Honoring Molly Karol Spratt for her service as a legislative intern in the office of Representative Dan Huberty.

To Rules and Resolutions.

HR 2164 (By White), In memory of Theresa Anna Davis of Kingwood.

To Rules and Resolutions.

HR 2165 (By White), In memory of George Ernest Claude of Kirbyville.

To Rules and Resolutions.

HR 2166 (By White), In memory of James Morgan "Slugger" McGraw of Jasper.

To Rules and Resolutions.

HR 2167 (By White), In memory of Vern Lee Storey of Bridge City.

To Rules and Resolutions.

HR 2168 (By White), In memory of Leo Allen Callaway of Huntsville.

To Rules and Resolutions.

HR 2169 (By White), In memory of Maggie Lee Morgan Frederick of Lumberton.

To Rules and Resolutions.

HR 2170 (By Fallon), Congratulating Brandon Davis of Cross Roads High School on being awarded a Luminant Power Track Scholarship.

To Rules and Resolutions.

HR 2171 (By Bohac), Congratulating Xanthe Alexis Shirley on her graduation from Texas A&M University.

To Rules and Resolutions.

HR 2172 (By White), In memory of Billy Jim Stark of Kirbyville.

To Rules and Resolutions.

HR 2173 (By White), In memory of C. W. Williams of Shepherd.

To Rules and Resolutions.

HR 2174 (By White), In memory of Gary Wager of Silsbee.

To Rules and Resolutions.

HR 2175 (By White), In memory of Martha Jo Hayden of Livingston.

To Rules and Resolutions.

HR 2176 (By White), In memory of Leland Ray Walding of Livingston.

To Rules and Resolutions.

HR 2177 (By White), In memory of Richard Carroll Wells of Livingston.

To Rules and Resolutions.

HR 2178 (By White), In memory of Murel "Cowboy" Stapleton of Livingston.

To Rules and Resolutions.

HR 2179 (By White), In memory of Catherine Davis Carter of Jasper.

To Rules and Resolutions.

HR 2180 (By White), In memory of Doris Evelyn Brown of Buna.

To Rules and Resolutions.

HR 2181 (By White), In memory of C. T. Moore of Votaw.

To Rules and Resolutions.

HR 2182 (By White), In memory of Mary Carol Fenner of Silsbee.

To Rules and Resolutions.

HR 2183 (By White), In memory of Norma Rosser Wallace of Silsbee.

To Rules and Resolutions.

HR 2184 (By Fletcher), Commemorating the Watermelon Run for the Fallen in Hempstead on August 17, 2013.

To Rules and Resolutions.

HR 2186 (By Anderson), Congratulating the eight twins in the class of 2013 at Midway High School in Waco for their academic achievement.

To Rules and Resolutions.

HR 2187 (By Anderson), Congratulating the Robinson High School tennis team on its success at the 2013 UIL 3A Region III tournament.

To Rules and Resolutions.

HR 2188 (By Anderson), Congratulating Hannah Lenamon of McGregor on her induction into the Phi Kappa Phi honor society.

To Rules and Resolutions.

HR 2189 (By Anderson), Congratulating Drew Keeney and Miles Milliorn of Lorena High School on winning the District 17-3A doubles tennis championship and qualifying for the state tournament.

To Rules and Resolutions.

HR 2190 (By Anderson), Honoring the members and inductees of the Peer Assistance and Leadership program at McGregor High School.

To Rules and Resolutions.

HR 2191 (By Anderson), Congratulating the girls' track and field team from McGregor High School on winning the 2013 District 15-2A championship.

To Rules and Resolutions.

HR 2192 (By Anderson), Congratulating Joel Jimenez on his receipt of the Spirit of America Medal from the Good Soldier Foundation.

To Rules and Resolutions.

HR 2193 (By White), In memory of Rogers Herndon Marsh, Sr., of Mineola.

To Rules and Resolutions.

HR 2194 (By White), In memory of David Lee Hallmark of Vidor.

To Rules and Resolutions.

HR 2195 (By White), In memory of Mae Hutto Rhodes Gibbs of Fred.

To Rules and Resolutions.

HR 2196 (By White), In memory of Juanita Charles McAdams of Kirbyville.

To Rules and Resolutions.

HR 2197 (By White), In memory of Terry Winter of Kountze.

To Rules and Resolutions.

HR 2198 (By White), In memory of Donald Goettee of Livingston.

To Rules and Resolutions.

HR 2199 (By White), In memory of Nellie Sylestine of Livingston.

To Rules and Resolutions.

HR 2200 (By White), In memory of Jerry McRoberts of Lumberton.

To Rules and Resolutions.

HR 2202 (By Hernandez Luna), In memory of Benjamin Jimenez of Houston.

To Rules and Resolutions.

HR 2203 (By Vo), Commending Rashad O'Rae Roberson for his service in the office of State Representative Hubert Vo.

To Rules and Resolutions.

HR 2204 (By Vo), Congratulating Lindsay Kubatzky on his graduation from The University of Texas at Austin and commending him for his service to the State of Texas.

To Rules and Resolutions.

HR 2205 (By Carter), In memory of Barbara Spreuer Meyer of Dallas.

To Rules and Resolutions.

HR 2206 (By Carter), Honoring James Carter, executive director of the Dallas County Republican Party, for his contributions to his community and his state.

To Rules and Resolutions.

HR 2207 (By Carter), Congratulating Dr. Kyle Renard on being elected to the board of trustees of Dallas County Schools.

To Rules and Resolutions.

HR 2208 (By Carter), Honoring Wade Emmert of Cedar Hill for his community service.

To Rules and Resolutions.

HR 2209 (By Carter), Recognizing the Richardson Fire Station No. 4 for earning LEED NC certification.

To Rules and Resolutions.

HR 2210 (By Carter), Commending Bonnie Perry of Richardson for her service to the community.

To Rules and Resolutions.

HR 2211 (By Carter), Honoring the Dallas County Council of Republican Women for their exceptional service to Dallas County.

To Rules and Resolutions.

HR 2212 (By Carter), Honoring LeTourneau University for its educational program and faith mission.

To Rules and Resolutions.

HR 2213 (By Carter), In memory of David Raymond Peters of Richardson.

To Rules and Resolutions.

HR 2214 (By Longoria), Honoring Ricco Garcia of Mission as a participant in the 2013 Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

HR 2215 (By Longoria), Commending U.S. Air Force Technical Sergeant Placido Salazar for his heroism during the Vietnam War.

To Rules and Resolutions.

HR 2216 (By Longoria), Honoring the lifetime achievements of Ernestina Esquivel Cavada of Corpus Christi.

To Rules and Resolutions.

HR 2218 (By Orr), In memory of Katrina "Kat" Harrington of Joshua.

To Rules and Resolutions.

HR 2219 (By Herrero), In memory of Marie-Therese Durieux.

To Rules and Resolutions.

HR 2220 (By Herrero), Honoring Conster Willow Davis of Corpus Christi for her involvement with the Foster Grandparent Program.

To Rules and Resolutions.

HR 2221 (By Herrero), In memory of Gene Edmond "Sonny" Eisenhower of Corpus Christi.

To Rules and Resolutions.

HR 2222 (By Herrero), In memory of Geraldine D'Unger McGloin of Corpus Christi.

To Rules and Resolutions.

HR 2223 (By Herrero), In memory of David George Luckstead of Corpus Christi.

To Rules and Resolutions.

HR 2224 (By Herrero), In memory of Mike Moses Anzaldua, Jr., professor emeritus of English at Del Mar College.

To Rules and Resolutions.

HR 2225 (By C. Turner), Honoring Charles C. Stidham of Arlington for his service to the nation during World War II.

To Rules and Resolutions.

HR 2226 (By White), In memory of Margaret Hendricks of Livingston.

To Rules and Resolutions.

HR 2227 (By White), In memory of C. A. Swilley, Sr., of New Willard.

To Rules and Resolutions.

HR 2228 (By White), In memory of Florene Baldwin of Seven Oaks.

To Rules and Resolutions.

HR 2229 (By White), In memory of Lenore Joyce Harris of Evadale.

To Rules and Resolutions.

HR 2230 (By White), In memory of Lloyd D. Beasley of Jasper.

To Rules and Resolutions.

HR 2231 (By White), In memory of Jean Marie Winland of Goodrich.

To Rules and Resolutions.

HR 2232 (By White), In memory of Daniel Raymond Jacobs of Bedias.

To Rules and Resolutions.

HR 2233 (By White), In memory of Carol Denise Ford of Livingston.

To Rules and Resolutions.

HR 2234 (By White), In memory of Gladys Ann Swinney of Midway.

To Rules and Resolutions.

HR 2235 (By White), In memory of Luis Daniel Diaz Lopez of Livingston.

To Rules and Resolutions.

HR 2236 (By White), Congratulating Gladys Gipson Arline of Hillister on her 90th birthday.

To Rules and Resolutions.

HR 2237 (By White), In memory of Wanda Young Burch of Kirbyville.

To Rules and Resolutions.

HR 2238 (By White), In memory of Johann Trimble Daniels of Tyler.

To Rules and Resolutions.

HR 2239 (By White), In memory of Dustin Creekmore of Warren.

To Rules and Resolutions.

HR 2240 (By White), In memory of Linda Hill of Missouri City.

To Rules and Resolutions.

HR 2241 (By White), In memory of Ralph Leonard Davis of Tyler.

To Rules and Resolutions.

HR 2242 (By Murphy), Honoring chemical engineer Karl Lee Herzog on his retirement from ConocoPhillips.

To Rules and Resolutions.

HR 2243 (By Kolkhorst), Congratulating the Brenham High School Belles Dance Team on its showing at the 2013 MA National Dance and Auxiliary Championship.

To Rules and Resolutions.

HR 2244 (By D. Bonnen), Congratulating Conner Christian of Angleton on winning the 5th Annual YEA! Saunders Scholars National Competition.

To Rules and Resolutions.

HR 2245 (By D. Bonnen), Congratulating Corporal Brian Hoskins on his selection as the Exchange Club of Angleton 2013 Police Officer of the Year.

To Rules and Resolutions.

HR 2246 (By Branch), In memory of sports broadcaster Pat Summerall.

To Rules and Resolutions.

HR 2247 (By Branch), Congratulating the Reverend Mark Craig on his retirement as senior minister of Highland Park United Methodist Church.

To Rules and Resolutions.

HR 2248 (By Y. Davis), Commending Vivian Hill for serving as Democratic Party precinct chair of Precinct 3055 in Dallas County.

To Rules and Resolutions.

HR 2249 (By Y. Davis), Commending Eli Davis for serving as Democratic Party precinct chair of Precinct 3056 in Dallas County.

To Rules and Resolutions.

HR 2250 (By Y. Davis), In memory of Gwendolyn Swann of Dallas.

To Rules and Resolutions.

HR 2251 (By Y. Davis), Commending Lawson Turner for serving as Democratic Party precinct chair of Precinct 3057 in Dallas County.

To Rules and Resolutions.

HR 2252 (By Y. Davis), Commending Dorothy Whaley for serving as Democratic Party precinct chair of Precinct 3063 in Dallas County.

To Rules and Resolutions.

HR 2253 (By Y. Davis), Commending Todd Simpson III for serving as Democratic Party precinct chair of Precinct 3003 in Dallas County.

To Rules and Resolutions.

HR 2254 (By Y. Davis), Commending Martin Burrell for serving as Democratic Party precinct chair of Precinct 3004 in Dallas County.

To Rules and Resolutions.

HR 2255 (By Y. Davis), Congratulating Roland Martin on being named Journalist of the Year by the National Association of Black Journalists.

To Rules and Resolutions.

HR 2256 (By Y. Davis), Commending Nancy Woertendyke for serving as Democratic Party precinct chair of Precinct 3046 in Dallas County.
To Rules and Resolutions.

HR 2257 (By Y. Davis), Commending Barbara Lewis for serving as Democratic Party precinct chair of Precinct 3054 in Dallas County.
To Rules and Resolutions.

HR 2258 (By Y. Davis), Commending Nettie Runnels for serving as Democratic Party precinct chair of Precinct 3608 in Dallas County.
To Rules and Resolutions.

HR 2259 (By Y. Davis), Commending Lakisha Thomas for serving as Democratic Party precinct chair of Precinct 4050 in Dallas County.
To Rules and Resolutions.

HR 2260 (By Y. Davis), Commending Lester Rummans for serving as Democratic Party precinct chair of Precinct 4500 in Dallas County.
To Rules and Resolutions.

HR 2261 (By Y. Davis), Commending Rita Eason for serving as Democratic Party precinct chair of Precinct 4501 in Dallas County.
To Rules and Resolutions.

HR 2262 (By Y. Davis), Commending Don O'Bannon for serving as Democratic Party precinct chair of Precinct 4523 in Dallas County.
To Rules and Resolutions.

HR 2263 (By Y. Davis), Commending Tom Ball for serving as Democratic Party precinct chair of Precinct 1038 in Dallas County.
To Rules and Resolutions.

HR 2264 (By Y. Davis), Commending Sedonia Kidd for serving as Democratic Party precinct chair of Precinct 3065 in Dallas County.
To Rules and Resolutions.

HR 2265 (By Naishtat), Congratulating Ronald C. Sassen on his retirement as chief accounting officer of the Texas Workforce Commission.
To Rules and Resolutions.

HR 2266 (By Naishtat), In memory of Marlee Baker of Austin.
To Rules and Resolutions.

HR 2267 (By Naishtat), Honoring Linda Rangel for her service as a legislative intern with the office of State Representative Elliott Naishtat.
To Rules and Resolutions.

HR 2268 (By Naishtat), Honoring Jayme Johnson for his service as a legislative intern.
To Rules and Resolutions.

HR 2269 (By Naishtat), Commending Abril Davila for her service as an intern in the office of State Representative Elliott Naishtat.
To Rules and Resolutions.

HR 2270 (By Naishtat), Honoring John Wooding for his service as a legislative intern.
To Rules and Resolutions.

HR 2271 (By Naishtat), Honoring Jessica Kolmer for her service as a legislative intern with the office of State Representative Elliott Naishtat.
To Rules and Resolutions.

HR 2272 (By Branch), Congratulating Mizzen and Main on the occasion of the company's first anniversary.
To Rules and Resolutions.

HR 2273 (By Ashby), Honoring Angelina Hardwood Sales Company on the 68th anniversary of its founding.
To Rules and Resolutions.

HR 2276 (By K. King), Recognizing May 23, 2013, as Leadership Plainview Day at the State Capitol.
To Rules and Resolutions.

HR 2277 (By Hughes), Congratulating Arlon and June Ragsdale of Alba on their 50th wedding anniversary.
To Rules and Resolutions.

HR 2278 (By Hughes), Congratulating Doana Smith on her retirement as chief deputy clerk in the Camp County Clerk's Office.
To Rules and Resolutions.

HR 2279 (By Hughes), Congratulating Kendyle and Anne Buchanan of Naples on their 50th wedding anniversary.
To Rules and Resolutions.

HR 2280 (By Hughes), In memory of Robert Duane Oakes of Yantis.
To Rules and Resolutions.

HR 2281 (By Hughes), Congratulating Barbara Morgan on her selection as Woman of the Year by the Mineola Chamber of Commerce.
To Rules and Resolutions.

HR 2282 (By J. Sheffield), Congratulating Shelby Lacey, the 2013 salutatorian of Glen Rose High School.
To Rules and Resolutions.

HR 2283 (By J. Sheffield), Congratulating Thomas Ray-Daniel Frier on being named salutatorian of Oglesby High School Class of 2013.
To Rules and Resolutions.

HR 2284 (By J. Sheffield), Recognizing April 14 to 20, 2013, as Osteopathic Medicine Week.
To Rules and Resolutions.

HR 2285 (By J. Sheffield), Congratulating Andrew Naglieri on graduating as the 2013 salutatorian of Priddy High School.
To Rules and Resolutions.

HR 2286 (By J. Sheffield), Congratulating Logan Randolph on being named valedictorian of the Priddy High School Class of 2013.
To Rules and Resolutions.

HR 2287 (By J. Sheffield), Congratulating Jessica Louise Gomez on being named valedictorian of Oglesby High School Class of 2013.
To Rules and Resolutions.

HR 2288 (By J. Sheffield), Congratulating Sharon Wolverton on being named the 2013 salutatorian of Evant High School.

To Rules and Resolutions.

HR 2289 (By Y. Davis), Commending Jessica Gonzales for serving as Democratic Party precinct chair of Precinct 3077 in Dallas County.

To Rules and Resolutions.

HR 2290 (By Y. Davis), Commending Susie Jones for serving as Democratic Party precinct chair of Precinct 3607 in Dallas County.

To Rules and Resolutions.

HR 2291 (By Y. Davis), Commending W. O. Montgomery for serving as Democratic Party precinct chair of Precinct 3602 in Dallas County.

To Rules and Resolutions.

HR 2292 (By Y. Davis), Commending Robert Smith for serving as Democratic Party precinct chair of Precinct 3601 in Dallas County.

To Rules and Resolutions.

HR 2293 (By Y. Davis), Commending Frances Rizo for serving as Democratic Party precinct chair of Precinct 3211 in Dallas County.

To Rules and Resolutions.

HR 2294 (By Y. Davis), Commending Linda Lydia for serving as Democratic Party precinct chair of Precinct 3210 in Dallas County.

To Rules and Resolutions.

HR 2295 (By Y. Davis), Commending Rosalind Wooten for serving as Democratic Party precinct chair of Precinct 3209 in Dallas County.

To Rules and Resolutions.

HR 2296 (By Y. Davis), Commending Ann Hubener for serving as Democratic Party precinct chair of Precinct 3207 in Dallas County.

To Rules and Resolutions.

HR 2297 (By Y. Davis), Commending LemLem Berhe for serving as Democratic Party precinct chair of Precinct 3206 in Dallas County.

To Rules and Resolutions.

HR 2298 (By Y. Davis), Commending Shirley Edwards-Brown for serving as Democratic Party precinct chair of Precinct 3205 in Dallas County.

To Rules and Resolutions.

HR 2299 (By Y. Davis), Commending Shirley A. Layton for serving as Democratic Party precinct chair of Precinct 3204 in Dallas County.

To Rules and Resolutions.

HR 2300 (By Y. Davis), Commending Betty Pittman for serving as Democratic Party precinct chair of Precinct 3200 in Dallas County.

To Rules and Resolutions.

HR 2301 (By Y. Davis), Commending Joan Young for serving as Democratic Party precinct chair of Precinct 3066 in Dallas County.

To Rules and Resolutions.

HR 2302 (By Y. Davis), Commending Millie Williams for serving as Democratic Party precinct chair of Precinct 3078 in Dallas County.

To Rules and Resolutions.

HR 2303 (By Y. Davis), Commending Eyvern Edwards for serving as Democratic Party precinct chair of Precinct 3092 in Dallas County.

To Rules and Resolutions.

HR 2304 (By Y. Davis), Commending Tia Finney for serving as Democratic Party precinct chair of Precinct 3201 in Dallas County.

To Rules and Resolutions.

HR 2305 (By Y. Davis), Commending Patrick De La Garza Und Senkel for serving as Democratic Party precinct chair of Precinct 3202 in Dallas County.

To Rules and Resolutions.

HR 2306 (By White), In memory of Lloyd Benifield Abbey.

To Rules and Resolutions.

HR 2307 (By White), Honoring Nancy Neel for organizing the 2013 American Cancer Society Relay for Life Hardin/South Jasper County event in Silsbee.

To Rules and Resolutions.

HR 2308 (By White), In memory of Nira Maretta Strain of Lumberton.

To Rules and Resolutions.

HR 2309 (By White), In memory of Billy Bob Pinner of Old Salem.

To Rules and Resolutions.

HR 2310 (By White), In memory of Linda Ann Rountree of Lumberton.

To Rules and Resolutions.

HR 2311 (By White), In memory of Florence Faye Stone Reeh of Carthage.

To Rules and Resolutions.

HR 2312 (By White), In memory of Samantha Jane "Dimp" Levins of Spurger.

To Rules and Resolutions.

HR 2313 (By White), In memory of Gail Dean Parker of Livingston.

To Rules and Resolutions.

HR 2314 (By White), In memory of Lindburgh Parsley of Evadale.

To Rules and Resolutions.

HR 2315 (By White), In memory of Ethel Claudine Brannan Stapleton of Livingston.

To Rules and Resolutions.

HR 2317 (By Fallon), Honoring Erica Nguyen and Hejab Khan of The Colony High School on their participation in the 2013 Texas Bluebonnet Girls State.

To Rules and Resolutions.

HR 2318 (By Craddick), Congratulating Paula Jay on her retirement as an English teacher at Elkins High School in Missouri City.

To Rules and Resolutions.

HR 2319 (By Strama), In memory of U.S. Air Force Lieutenant Colonel (Ret.) Albert Coolley Lloyd, Jr., of Austin.

To Rules and Resolutions.

HR 2320 (By Huberty), Honoring Seth Howard for his service as a legislative intern for Representative Dan Huberty.

To Rules and Resolutions.

HR 2321 (By Huberty), Congratulating Jessica Beemer on obtaining her master's degree in public administration from The University of Texas at San Antonio.

To Rules and Resolutions.

HR 2323 (By E. Rodriguez), Congratulating Dolores Howard on the occasion of her retirement from the Railroad Commission.

To Rules and Resolutions.

HR 2324 (By Anchia), Congratulating Manuel and Andrea Gonzalez of Austin on their first wedding anniversary.

To Rules and Resolutions.

HR 2325 (By Anchia), Congratulating Adan Gonzalez of Dallas on winning the Men's 165 Elite Division title at the 2013 U.S. Intercollegiate Boxing Association National Championship Tournament.

To Rules and Resolutions.

HR 2326 (By Stickland), Congratulating Patrick Norman of Bedford on attaining the rank of Eagle Scout.

To Rules and Resolutions.

HR 2327 (By Villalba), Paying tribute to the life of Andrea Lois Rodely, sister of Representative Jason Villalba, on the 45th anniversary of her birth.

To Rules and Resolutions.

HR 2328 (By J. Sheffield), Congratulating Benjamin Coppock, the 2013 valedictorian of Glen Rose High School.

To Rules and Resolutions.

HR 2329 (By Isaac), Commending Chelsey McGee for her service as an intern in the office of State Representative Jason Isaac.

To Rules and Resolutions.

HR 2330 (By Flynn), Congratulating the Reverend Jimmy Allen and Anneta Allen on their retirement from First Assembly of God Church in Canton.

To Rules and Resolutions.

HR 2331 (By Flynn), Congratulating Sarah Gipson of Grand Saline on her achievements as a high school and college softball player.

To Rules and Resolutions.

HR 2332 (By Flynn), Honoring Wills Point Boy Scout Troop No. 381 on its 100th anniversary.

To Rules and Resolutions.

HR 2333 (By Guerra), Honoring Shantal Ortega of Amarillo as a participant in the 2013 Moreno/Rangel Legislative Leadership Program.

To Rules and Resolutions.

HR 2334 (By Guerra), Honoring Juanita Valdez-Cox for her advocacy work in behalf of farm workers and migrant and low-income families in South Texas.

To Rules and Resolutions.

HR 2335 (By Guerra), Honoring Mayor Norberto Salinas for his service to Mission.

To Rules and Resolutions.

HR 2336 (By Guerra), Congratulating Javier Exiquio Gonzalez of Lamar Academy on being accepted into Subiendo: The Academy of Rising Leaders at The University of Texas at Austin.

To Rules and Resolutions.

HR 2337 (By Harless), Honoring Victor Vandergriff for his service as chair of the Texas Department of Motor Vehicles board and congratulating him on his appointment to the Texas Transportation Commission.

To Rules and Resolutions.

HR 2338 (By Harless), Commending Cheryl Whitfield for her leadership in the establishment of the National Memorial Ladies organization and the Fallen Warriors Memorial in Cy-Champ Park.

To Rules and Resolutions.

HR 2341 (By Murphy), Congratulating Joseph Slovacek of Houston on his appointment to the board of the Texas Department of Motor Vehicles.

To Rules and Resolutions.

HR 2342 (By Hughes), In memory of U.S. Marine Corps Gunnery Sergeant (Ret.) Thomas George Shippey of Holly Lake Ranch.

To Rules and Resolutions.

HR 2343 (By Hughes), Congratulating Jerry Garner on his selection as the 2013 Citizen of the Year by the Lindale Area Chamber of Commerce.

To Rules and Resolutions.

HR 2347 (By White), In memory of George Edwin Hamilton of Coldspring.

To Rules and Resolutions.

HR 2348 (By White), In memory of Joseph Henry O'Leary, Jr., of Silsbee.

To Rules and Resolutions.

HR 2349 (By White), In memory of Peggy Ann Doll of Silsbee.

To Rules and Resolutions.

HR 2350 (By White), In memory of Steve K. Kaiser of Silsbee.

To Rules and Resolutions.

HR 2351 (By White), In memory of Rosie Ellen Reed of Silsbee.

To Rules and Resolutions.

HR 2352 (By White), In memory of Karlene Snoek of Wildwood.

To Rules and Resolutions.

HR 2353 (By White), In memory of Jimmie Lee Talley of Kirbyville.

To Rules and Resolutions.

HR 2354 (By White), Congratulating Rebecca Dougharty of Jasper ISD on receiving a 2013 Wayne A. Reaud Excellence in Education Award.

To Rules and Resolutions.

HR 2355 (By White), In memory of Belva Siebenthall of Wildwood.

To Rules and Resolutions.

HR 2356 (By White), In memory of Michael Eugene Johnson of Livingston.

To Rules and Resolutions.

HR 2357 (By White), In memory of David Herrington of Silsbee.
To Rules and Resolutions.

HR 2358 (By White), In memory of Nelson Mass of Silsbee.
To Rules and Resolutions.

HR 2359 (By White), In memory of Belle Richardson of Jasper.
To Rules and Resolutions.

HR 2360 (By Carter), Honoring former state representative Tony Goolsby for his public service.
To Rules and Resolutions.

HR 2361 (By Rose), Commending Democratic Party precinct chair Virginia Hill in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2362 (By Rose), Commending Democratic Party precinct chair Debra Harwell in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2363 (By Rose), Commending Democratic Party precinct chair Michele Flood-Luce in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2365 (By Rose), Commending Democratic Party precinct chair Jewell Standifer in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2366 (By Rose), Commending Democratic Party precinct chair Hulen Strunck in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2367 (By Rose), Commending Democratic Party precinct chair Camile White in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2368 (By Rose), Commending Democratic Party precinct chair Linda Wilkerson-Wynn in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2369 (By Rose), Commending Democratic Party precinct chair Johnetta Williams in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2370 (By Rose), Commending Democratic Party precinct chair Jesse Diaz in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2371 (By Rose), Commending Democratic Party precinct chair Michael King in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2372 (By Rose), Commending Democratic Party precinct chair Ethel Spencer in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2373 (By Rose), Commending Democratic Party precinct chair Jean Ball in House District 110 in Dallas County.
To Rules and Resolutions.

HR 2374 (By Rose), Commending Democratic Party precinct chair Mae Choice in House District 110 in Dallas County.

To Rules and Resolutions.

HR 2375 (By Rose), Commending Democratic Party precinct chair Lionel Churchill in House District 110 in Dallas County.

To Rules and Resolutions.

HR 2376 (By Rose), Commending Democratic Party precinct chair Lee Cobler in House District 110 in Dallas County.

To Rules and Resolutions.

HR 2377 (By Rose), Commending Democratic Party precinct chair Alice Cox in House District 110 in Dallas County.

To Rules and Resolutions.

HR 2378 (By Rose), Commending Democratic Party precinct chair Richard Culberson in House District 110 in Dallas County.

To Rules and Resolutions.

HR 2379 (By Rose), Commending Democratic Party precinct chair Ineice Davis in House District 110 in Dallas County.

To Rules and Resolutions.

HR 2381 (By Dale), Congratulating the teams from the Capital Region that are advancing to the Destination Imagination Global Finals.

To Rules and Resolutions.

HR 2382 (By Hughes), Congratulating Ron Wilson on his receipt of the Pilot Club 2013 Humanitarian of the Year award from the Mineola Chamber of Commerce.

To Rules and Resolutions.

HR 2383 (By Hughes), Congratulating Oleta Faye Turner of Winnsboro on her 100th birthday.

To Rules and Resolutions.

HR 2384 (By Hughes), Commemorating the history of the Select Theater in Mineola.

To Rules and Resolutions.

HR 2385 (By Leach), In memory of sports broadcaster Pat Summerall.

To Rules and Resolutions.

HR 2386 (By Huberty), Congratulating Autumn Marie Jodzio and Matthew David Niemczak of Houston on their engagement.

To Rules and Resolutions.

HR 2387 (By Huberty), Congratulating Sam and Casey Schrade on the birth of their daughter, Emma Avery Schrade.

To Rules and Resolutions.

HR 2388 (By Huberty), Recognizing Erin and Jared McAnally on their marriage.

To Rules and Resolutions.

HR 2389 (By D. Bonnen), Honoring Jarrod D. Smith of Danbury for his contributions to his community.

To Rules and Resolutions.

HR 2390 (By Huberty), Honoring Victoria Haas on her service as a legislative intern for Representative Dan Huberty.

To Rules and Resolutions.

HR 2391 (By Huberty), Commending Chase Austin Barker on his service as a legislative aide in the office of State Representative Dan Huberty.

To Rules and Resolutions.

HR 2393 (By Goldman), Congratulating Bob and Merle Holland of Fort Worth on the occasion of their 50th wedding anniversary.

To Rules and Resolutions.

HR 2394 (By Keffer), Commending Transforming Texas Waterfronts for its support of urban river development projects.

To Rules and Resolutions.

HR 2395 (By Keffer), Recognizing April 2013 as Damage Prevention Month.

To Rules and Resolutions.

HR 2396 (By Vo), Congratulating Erin Kubatzky on his graduation from The University of Texas at Austin.

To Rules and Resolutions.

HR 2397 (By C. Turner), Honoring Democratic Party precinct chair Eric Britt of Precinct 2145 in Tarrant County.

To Rules and Resolutions.

HR 2398 (By C. Turner), Honoring Democratic Party precinct chair Elin Jacks of Precinct 2169 in Tarrant County.

To Rules and Resolutions.

HR 2399 (By C. Turner), Honoring Democratic Party precinct chair Patricia Lee of Precinct 2263 in Tarrant County.

To Rules and Resolutions.

HR 2400 (By C. Turner), Honoring Democratic Party precinct chair Angela Abram of Precinct 2299 in Tarrant County.

To Rules and Resolutions.

HR 2401 (By C. Turner), Honoring Democratic Party precinct chair Robert Price of Precinct 2302 in Tarrant County.

To Rules and Resolutions.

HR 2402 (By C. Turner), Honoring Democratic Party precinct chair Windolyn D. Mosely of Precinct 2349 in Tarrant County.

To Rules and Resolutions.

HR 2403 (By C. Turner), Honoring Democratic Party precinct chair Deborah Spell of Precinct 2353 in Tarrant County.

To Rules and Resolutions.

HR 2404 (By C. Turner), Honoring Democratic Party precinct chair Bill Dickson of Precinct 2354 in Tarrant County.

To Rules and Resolutions.

HR 2405 (By C. Turner), Honoring Democratic Party precinct chair John Derewitz of Precinct 2383 in Tarrant County.

To Rules and Resolutions.

HR 2406 (By C. Turner), Honoring Democratic Party precinct chair Aftab Siddiqui of Precinct 2405 in Tarrant County.

To Rules and Resolutions.

HR 2407 (By C. Turner), Honoring Democratic Party precinct chair Marilyn K. Love of Precinct 2411 in Tarrant County.

To Rules and Resolutions.

HR 2408 (By C. Turner), Honoring Democratic Party precinct chair Richard Canada of Precinct 2438 in Tarrant County.

To Rules and Resolutions.

HR 2409 (By C. Turner), Honoring Democratic Party precinct chair Syed Hassan of Precinct 2448 in Tarrant County.

To Rules and Resolutions.

HR 2410 (By C. Turner), Honoring Democratic Party precinct chair Mark Brain of Precinct 2449 in Tarrant County.

To Rules and Resolutions.

HR 2411 (By C. Turner), Honoring Democratic Party precinct chair Ivy Jones of Precinct 2450 in Tarrant County.

To Rules and Resolutions.

HR 2412 (By C. Turner), Honoring Democratic Party precinct chair Tai A. Sawalha of Precinct 2453 in Tarrant County.

To Rules and Resolutions.

HR 2413 (By C. Turner), Honoring Democratic Party precinct chair Ida D. Anderson of Precinct 2461 in Tarrant County.

To Rules and Resolutions.

HR 2414 (By C. Turner), Honoring Democratic Party precinct chair Anthony Earl Langston, Sr., of Precinct 2466 in Tarrant County.

To Rules and Resolutions.

HR 2415 (By C. Turner), Honoring Democratic Party precinct chair Cheryl Ann Smith of Precinct 2488 in Tarrant County.

To Rules and Resolutions.

HR 2416 (By C. Turner), Honoring Democratic Party precinct chair Marvin Sutton of Precinct 2523 in Tarrant County.

To Rules and Resolutions.

HR 2417 (By C. Turner), Honoring Democratic Party precinct chair Cynthia Toodle of Precinct 2613 in Tarrant County.

To Rules and Resolutions.

HR 2418 (By C. Turner), Honoring Democratic Party precinct chair Deanna R. Johnson of Precinct 2635 in Tarrant County.

To Rules and Resolutions.

HR 2419 (By C. Turner), Honoring Democratic Party precinct chair Ruth A. Boward of Precinct 2428 in Tarrant County.

To Rules and Resolutions.

HR 2420 (By C. Turner), Honoring Democratic Party precinct chair Warren Landrum of Precinct 2644 in Tarrant County.

To Rules and Resolutions.

HR 2421 (By Craddick), Commending Chris Cohen of Midland for rescuing an elderly woman from a burning home.

To Rules and Resolutions.

HR 2422 (By Branch), In memory of Bob Perry of Houston.

To Rules and Resolutions.

HR 2423 (By Anchia), Congratulating Grady Smithey, Jr., on his receipt of the 2013 Distinguished Leadership Award from Leadership Southwest.

To Rules and Resolutions.

HR 2424 (By Alonzo), Commending John Paul Thompson for his service as an intern in the office of State Representative Roberto Alonzo.

To Rules and Resolutions.

HR 2425 (By Alonzo), Commending Glen Austin for his participation in the Texas Legislative Internship Program and for his service in the office of Representative Roberto R. Alonzo.

To Rules and Resolutions.

HR 2426 (By Alonzo), Honoring Brette Minton for her service as a legislative aide in the office of State Representative Roberto Alonzo.

To Rules and Resolutions.

HR 2427 (By Alonzo), Honoring Octavia Marcel for her service as a legislative aide in the office of State Representative Roberto Alonzo.

To Rules and Resolutions.

HR 2428 (By Alonzo), Commending Kira Retana for her service as a legislative aide in the office of State Representative Roberto Alonzo.

To Rules and Resolutions.

HR 2429 (By White), In memory of David Jones of Livingston.

To Rules and Resolutions.

HR 2430 (By White), In memory of Harold Robert Richard of Silsbee.

To Rules and Resolutions.

HR 2431 (By White), In memory of Nancy Bailey of Lumberton.

To Rules and Resolutions.

HR 2432 (By White), In memory of Barbara Witt of Woodville.

To Rules and Resolutions.

HR 2433 (By White), In memory of E. Baker Tiner of Hemphill.

To Rules and Resolutions.

HR 2434 (By White), Congratulating Jim McWilliams on his retirement from the Spurger ISD.

To Rules and Resolutions.

HR 2435 (By D. Bonnen), Congratulating George and Donna Harrison of Bay City on their receipt of a Lifetime Achievement Award from the Matagorda County Fair and Livestock Association.

To Rules and Resolutions.

HR 2436 (By Geren), Honoring house parliamentarian and special counsel Chris Griesel and the staff of the house parliamentarian's office for their significant contributions to the 83rd Regular Session.

To Rules and Resolutions.

SIGNED BY THE SPEAKER

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

Senate List No. 31

SB 12, SB 63, SB 109, SB 111, SB 152, SB 201, SB 222, SB 246, SB 260, SB 286, SB 344, SB 356, SB 394, SB 395, SB 406, SB 772, SB 819, SB 944, SB 983, SB 1120, SB 1167, SB 1665, SB 1719, SB 1792, SJR 18, SJR 42

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 2

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, May 20, 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:

HB 259 Simmons SPONSOR: Paxton
Relating to electioneering conducted near a polling place.

HB 619 Gonzalez, Naomi SPONSOR: Watson
Relating to the requirements for issuance of certain barbering and cosmetology licenses and certificates for applicants holding licenses issued by other states; imposing fees.

HB 1349 Larson SPONSOR: Campbell
Relating to information that may be requested by the Department of Public Safety from a person applying for or renewing a concealed handgun license.
(Committee Substitute)

HB 1461 Aycock SPONSOR: Fraser
Relating to customer notification of water loss by a retail public utility.

HB 1724 Bohac SPONSOR: Seliger
Relating to the statute of limitations on municipal and county hotel occupancy taxes and interest on delinquent payments of municipal hotel occupancy taxes.
(Amended)

HB 1759 Hunter SPONSOR: Ellis
Relating to a correction, clarification, or retraction of incorrect information published.
(Committee Substitute)

HB 1965 Harper-Brown SPONSOR: Zaffirini
Relating to the state contracting duties of the quality assurance team and Contract Advisory Team.

(Committee Substitute)

HB 2138 Dutton SPONSOR: Ellis
Relating to the boundaries of the Near Northside Management District and to coordination by the district with other entities in providing projects and services.
(Amended)

HB 2152 Callegari SPONSOR: Lucio
Relating to fees charged to certain recreational vehicle parks.
(Amended)

HB 2276 Crownover SPONSOR: Taylor
Relating to notice of residential services available for persons with intellectual disabilities.
(Amended)

HB 2414 Button SPONSOR: Deuell
Relating to requirements for open meetings held by videoconference call.
(Committee Substitute/Amended)

HB 2447 Martinez, "Mando" SPONSOR: Hinojosa
Relating to the sale and advertisement of portable fire extinguishers.
(Amended)

HB 2474 King, Phil SPONSOR: Estes
Relating to taxes and bonds for a junior college district branch campus.

HB 2688 Perry SPONSOR: Seliger
Relating to the Seminole Hospital District of Gaines County, Texas, and to the fiscal year of the Dallam-Hartley Counties Hospital District.
(Committee Substitute/Amended)

HB 2911 Kuempel SPONSOR: Taylor
Relating to the regulation of real estate inspectors; changing fees.
(Committee Substitute/Amended)

HB 2982 Keffer SPONSOR: Duncan
Relating to the power of the Railroad Commission of Texas to adopt and enforce safety standards applicable to the transportation by pipeline of hazardous liquids, carbon dioxide, and natural gas in rural locations.
(Committee Substitute/Amended)

HB 3471 Deshotel SPONSOR: Williams
Relating to the compensation of the members of the board of port commissioners of the Port of Port Arthur Navigation District of Jefferson County.

HCR 59 Hunter SPONSOR: Lucio
Requesting the speaker and lieutenant governor to create a joint interim committee to study seawater desalination on the Texas coast.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, May 20, 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 1122 Johnson SPONSOR: West
Relating to a pilot program for a three-year high school diploma plan and cost-neutral expansion of full-day prekindergarten programs.
(Amended)

HB 2139 Dutton SPONSOR: Ellis
Relating to the authority of the Near Northside Management District to undertake tax increment financing.

HB 2294 Kuempel SPONSOR: Carona
Relating to an exemption from air conditioning and refrigeration contracting regulation for installation of a thermostat.
(Committee Substitute/Amended)

HB 3106 Morrison SPONSOR: Carona
Relating to compensatory payments made in connection with the issuance of certain title insurance policies.
(Amended)

HB 3483 Fletcher SPONSOR: Watson
Relating to requirements for a driver education course and the eligibility of persons under 18 years of age to operate a motor vehicle at certain times.
(Amended)

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 112	(31 Yeas, 0 Nays)
SB 355	(31 Yeas, 0 Nays)
SB 427	(31 Yeas, 0 Nays)
SB 462	(31 Yeas, 0 Nays)
SB 540	(31 Yeas, 0 Nays)
SB 583	(31 Yeas, 0 Nays)
SB 660	(26 Yeas, 5 Nays)
SB 673	(31 Yeas, 0 Nays)
SB 742	(31 Yeas, 0 Nays)
SB 875	(30 Yeas, 1 Nay)
SB 1251	(31 Yeas, 0 Nays)
SB 1756	(30 Yeas, 1 Nay)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, May 20, 2013 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 1287 Hilderbran SPONSOR: Estes
Relating to the contents of an application by certain persons for an exemption from ad valorem taxation of the person's residence homestead.

HB 2585 Harper-Brown SPONSOR: Paxton
Relating to the reimbursement of utilities for relocation of utility facilities following improvement or construction of certain tolled highways.
(Committee Substitute)

HB 2806 Geren SPONSOR: Van de Putte
Relating to delinquent payment of an alcoholic beverage retailer's account for liquor.

HB 3093 Elkins SPONSOR: Zaffirini
Relating to the powers and duties of the Department of Information Resources and the Legislative Budget Board regarding information resources technologies of state agencies.
(Committee Substitute/Amended)

HB 3523 Lewis SPONSOR: Paxton
Relating to punishment for the offense of driving a commercial motor vehicle without a commercial driver's license.
(Amended)

THE SENATE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

HB 4 (30 Yeas, 1 Nay)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 5

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, May 20, 2013 - 5

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:
LOCAL AND UNCONTESTED CALENDAR

HB 33 Menéndez SPONSOR: Uresti
Relating to alternative methods of dispute resolution in certain disputes between the Department of Aging and Disability Services and an assisted living facility licensed by the department.

HB 35 Menéndez SPONSOR: Deuell
Relating to the authority of a property owners' association to regulate the use of certain lots for residential purposes.

HB 115 Larson SPONSOR: Uresti
Relating to identification numbers on vessels.

HB 326 Dutton SPONSOR: Huffman
Relating to eligibility to serve on the appraisal review board of an appraisal district.
(Committee Substitute)

HB 339 Laubenberg SPONSOR: Paxton
Relating to the authority to propose the creation of a fire control, prevention, and emergency medical services district.

HB 432 Riddle SPONSOR: Van de Putte
Relating to charitable contributions by state employees to assist domestic victims of human trafficking.

HB 474 Muñoz, Jr. SPONSOR: Hinojosa
Relating to an optional procedure for the issuance of a permit by a certain regional mobility authority for the movement of oversize or overweight vehicles carrying cargo; authorizing a fee.
(Committee Substitute)

HB 483 Aycok SPONSOR: Fraser
Relating to a public hearing held on the issue of making a payment in excess of the compensation contracted for by a political subdivision.

HB 588 Craddick SPONSOR: Uresti
Relating to the regulation of the practice of physical therapy; authorizing fees.

HB 646 Patrick, Diane SPONSOR: Uresti
Relating to the requirements for members appointed to the Texas State Board of Examiners of Psychologists.

HB 674 Ratliff SPONSOR: Carona
Relating to providing notice of certain proposed municipal zoning changes to a school district.
(Committee Substitute)

HB 677 Geren SPONSOR: Eltife
Relating to the regulation and enforcement of dam safety by the Texas Commission on Environmental Quality.

HB 698 Springer SPONSOR: Estes
Relating to certain procedures for submitting legible and classifiable fingerprints with an application for a license to carry a concealed handgun.

- HB 699** Davis, John SPONSOR: Taylor
Relating to the location of certain public sales of real property.
(Committee Substitute)
- HB 749** Raymond SPONSOR: Lucio
Relating to a plan to increase outcomes in the summer food service program.
- HB 842** Bell SPONSOR: Deuell
Relating to the provision of certain opportunities to career and technical students by public school districts under the college credit program.
(Committee Substitute)
- HB 897** Zerwas SPONSOR: Hinojosa
Relating to instruction in cardiopulmonary resuscitation in secondary education curriculum.
(Committee Substitute)
- HB 908** Nevárez SPONSOR: Uresti
Relating to the assessment of an elderly or disabled person's psychological status for purposes of an emergency order authorizing protective services.
- HB 985** Elkins SPONSOR: Huffman
Relating to the deadlines by which provisional ballots must be processed and the state canvass must be conducted for certain elections.
- HB 1018** Patrick, Diane SPONSOR: Nelson
Relating to the establishment of community partnerships and the development of policy recommendations for increasing physical activity and improving fitness among public school students.
- HB 1047** Sheets SPONSOR: Estes
Relating to the regulation of certain surety companies.
- HB 1081** González, Mary SPONSOR: Rodríguez
Relating to a study regarding the prohibition of dairy farming in certain areas of the state.
- HB 1086** Rodriguez, Eddie SPONSOR: Eltife
Relating to interruption of electric service by a residential landlord.
- HB 1093** Fletcher SPONSOR: Deuell
Relating to the composition of the Texas Private Security Board.
(Committee Substitute)
- HB 1097** Sheets SPONSOR: Paxton
Relating to the amount of a fine for certain traffic offenses committed in a construction or maintenance work zone.
(Committee Substitute)
- HB 1183** Guillen SPONSOR: Lucio
Relating to prohibited conduct by insurance adjusters, public insurance adjusters, and roofing contractors.
- HB 1241** Guillen SPONSOR: Deuell
Relating to the adoption of rules by the Parks and Wildlife Commission to protect the public water of this state from the spread of aquatic invasive species.
- HB 1358** Hunter SPONSOR: Van de Putte
Relating to procedures for certain audits of pharmacists and pharmacies.
- HB 1405** Smithee SPONSOR: Carona
Relating to the collection of surplus lines insurance premium taxes for insurance placed with a managing underwriter.

HB 1442 Fletcher SPONSOR: Patrick
Relating to the authority of a county to deposit fees collected by a county bail bond board in a separate county fund.

HB 1458 Gooden SPONSOR: Deuell
Relating to the designation of U.S. Highway 175 in Kaufman County as the Veterans Memorial Highway.

HB 1503 Kuempel SPONSOR: Eltife
Relating to the appointment of building contractors to certain trade advisory boards of the Texas Department of Licensing and Regulation.

HB 1545 Allen SPONSOR: Ellis
Relating to a study regarding the use of certain public transportation services by persons with disabilities.
(Committee Substitute)

HB 1563 King, Tracy O. SPONSOR: Hegar
Relating to fees of office for directors of groundwater conservation districts.

HB 1593 Huberty SPONSOR: Whitmire
Relating to the powers and duties of the Harris County Municipal Utility District No. 505; providing authority to issue bonds; providing authority to impose fees and taxes.

HB 1594 Huberty SPONSOR: Whitmire
Relating to the powers and duties of the Harris County Municipal Utility District No. 504; providing authority to issue bonds; providing authority to impose fees and taxes.

HB 1605 Davis, Sarah SPONSOR: Huffman
Relating to the establishment of a pilot program in Harris County to provide maternity care management to certain women enrolled in the Medicaid managed care program.
(Committee Substitute)

HB 1607 Farney SPONSOR: Nichols
Relating to the authority of the commissioners court of a county to alter speed limits on county roads.

HB 1690 Fletcher SPONSOR: Nelson
Relating to measures to prevent or control the entry into or spread in this state of certain communicable diseases; providing a penalty.

HB 1753 Patrick, Diane SPONSOR: Hancock
Relating to authorizing the board of regents of The University of Texas System to acquire certain property in the city of Arlington.

HB 1777 Moody SPONSOR: Rodríguez
Relating to a study regarding the effects on international trade of wait times at points of entry between the United States and the United Mexican States.

HB 1791 Davis, John SPONSOR: Deuell
Relating to the facilitation and operation of space flight activities in this state.

HB 1800 Huberty SPONSOR: Whitmire
Relating to the powers and duties of the Harris County Municipal Utility District No. 422; providing authority to issue bonds; providing authority to impose fees and taxes.

HB 1801 Huberty SPONSOR: Whitmire

Relating to the powers and duties of the Harris County Municipal Utility District No. 423; providing authority to issue bonds; providing authority to impose fees and taxes.

HB 1807 King, Tracy O. SPONSOR: Hinojosa
Relating to fever tick eradication; creating a penalty.

HB 1819 Kacal SPONSOR: Seliger
Relating to liability for injuring a trespassing sheep or goat.

HB 1888 Anchia SPONSOR: Hinojosa
Relating to low income housing tax credits awarded to at-risk developments.
(Committee Substitute)

HB 1953 Thompson, Senfronia SPONSOR: Carona
Relating to the payment for liquor by a retailer.

HB 1970 Pickett SPONSOR: Rodríguez
Relating to the authority of certain municipalities and counties to regulate subdivisions in the extraterritorial jurisdiction of a municipality by agreement.

HB 1971 Davis, John SPONSOR: Deuell
Relating to a pilot program conducted by the Department of Aging and Disability Services to authorize certain accreditation surveys of assisted living facilities.

HB 1979 Villarreal SPONSOR: Carona
Relating to interest on commercial loans.

HB 2094 Muñoz, Jr. SPONSOR: Hinojosa
Relating to the regulation of roadside vendors and solicitors in certain counties.

HB 2111 Strama SPONSOR: Nelson
Relating to the transitional living services program for certain youth in foster care.

HB 2134 Villarreal SPONSOR: Carona
Relating to the regulation of money services businesses.

HB 2155 Callegari SPONSOR: Duncan
Relating to eligibility of certain dependents for coverage under the state employee group benefits program.

HB 2312 Kacal SPONSOR: Hegar
Relating to the membership of and the beef marketing, education, research, and promotion programs of the Texas Beef Council.

HB 2318 Aycock SPONSOR: Seliger
Relating to public school educator preparation and alternative certification programs.
(Committee Substitute)

HB 2356 White SPONSOR: Nichols
Relating to the designation of a portion of Recreational Road 255 in Jasper County as Sam Rayburn Parkway.

HB 2509 Anchia SPONSOR: Carona
Relating to the business leave time account for a police officer employee organization in certain municipalities.

HB 2512 Miller, Rick SPONSOR: Duncan
Relating to the disclosure of certain information to the secretary of state for use in voter registration or the administration of elections.

HB 2549 Patrick, Diane SPONSOR: Paxton

Relating to the periodic review and revision of college and career readiness standards in public education.

HB 2610 Pitts SPONSOR: Hegar
Relating to the issuance of interest-bearing time warrants and certain notes by school districts.

HB 2627 Zedler SPONSOR: Eltife
Relating to the issuance of remedial plans to resolve complaints filed with the Texas Optometry Board; authorizing a fee.

HB 2649 Herrero SPONSOR: Hinojosa
Relating to the punishment for violating certain rules or permit terms under a permit to trap, transport, and transplant certain animals.

HB 2662 Farney SPONSOR: Patrick
Relating to a personal financial literacy credit for high school programs.

HB 2673 Price SPONSOR: Nelson
Relating to the protection and care of individuals with intellectual and developmental disabilities.

HB 2873 Harper-Brown SPONSOR: Zaffirini
Relating to the development of a model contract management process for use with low-risk state procurements.

HB 2874 Harper-Brown SPONSOR: Paxton
Relating to the designation by the Texas Department of Motor Vehicles of the registration year for certain vehicles sold by a dealer.
(Committee Substitute)

HB 3017 Moody SPONSOR: Van de Putte
Relating to determination of the amount of certain child support obligations.

HB 3097 Lewis SPONSOR: Seliger
Relating to the election of directors of the board of the Ector County Hospital District.

HB 3102 Morrison SPONSOR: Duncan
Relating to political parties' governance and conventions.

HB 3137 Lucio III SPONSOR: Lucio
Relating to limiting the amount of a fee or assessment imposed by the Rio Grande Regional Water Authority.

HB 3178 Phillips SPONSOR: Estes
Relating to the Texas Statewide Mutual Aid System.

HB 3201 Kolkhorst SPONSOR: Nelson
Relating to the practice of dentistry; imposing surcharges and fees.
(Committee Substitute)

HB 3212 Phillips SPONSOR: Estes
Relating to the Red River Boundary Compact and the creation of the Red River Boundary Commission.

HB 3253 Zerwas SPONSOR: Nelson
Relating to the notation of death on a birth certificate and the release of birth certificate information for certain purposes.
(Committee Substitute)

HB 3279 Morrison SPONSOR: Hegar
Relating to the uprooting of seagrass plants; creating an offense.

(Committee Substitute)

HB 3285 Davis, Yvonne SPONSOR: Nelson
Relating to the reporting of health care associated infections.

HB 3307 Geren SPONSOR: Watson
Relating to the manufacture of malt beverages, including under alternating brewery proprietorship and contract brewing arrangements.

HB 3332 Keffer SPONSOR: Fraser
Relating to junior college district territory annexation and program approval in certain counties.

HB 3355 Cook SPONSOR: Carona
Relating to cable operators' attachments on distribution poles owned or controlled by electric cooperatives.

HB 3412 Flynn SPONSOR: Estes
Relating to the qualifications for certain positions with the Department of Public Safety of the State of Texas.

HB 3567 Kleinschmidt SPONSOR: Estes
Relating to the composition of the structural pest control advisory committee.
(Committee Substitute)

HB 3676 Phillips SPONSOR: Paxton
Relating to the application of restrictions on drivers under 18 years of age.

HB 3795 Coleman SPONSOR: Hegar
Relating to the creation of a county assistance district.

HB 3800 Coleman SPONSOR: Hinojosa
Relating to the recording and indexing of property owners' association management certificates in the county real property records.

HB 3896 Springer SPONSOR: Estes
Relating to the Jack County Hospital District; authorizing the imposition of a tax.

HB 3905 Bonnen, Dennis SPONSOR: Taylor
Relating to the Angleton-Danbury Hospital District of Brazoria County, Texas.

HCR 41 Ashby SPONSOR: Schwertner
Designating Jewett as the Sculpture Capital of Texas and commemorating the third annual Leon County Art Trail.

HCR 104 Button SPONSOR: Seliger
Encouraging school districts to adopt policies that promote the use of technology and technological devices in classrooms.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 6

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Monday, May 20, 2013 - 6

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 508 Guillen SPONSOR: Patrick
Relating to certain offenses relating to carrying concealed handguns on property owned or leased by a governmental entity; providing a civil penalty.
(Amended)

HB 561 Workman SPONSOR: Seliger
Relating to an exemption for land owned by a school from the additional tax imposed on the change of use of land appraised for ad valorem tax purposes as qualified open-space land.

HB 843 Lucio III SPONSOR: Lucio
Relating to persons entitled to notice of and to participation in certain hearings regarding a child in the conservatorship of the state.

HB 1035 Huberty SPONSOR: Patrick
Relating to the filing of reports of political contributions and expenditures and of personal financial statements by certain officeholders and candidates.
(Committee Substitute)

HB 1079 Smith SPONSOR: Hancock
Relating to procedural requirements for action by the Texas Commission on Environmental Quality on applications for production area authorizations.
(Committee Substitute)

HB 1664 Villarreal SPONSOR: Carona
Relating to the regulation of banks, trust companies, and bank holding companies.

HB 1721 Villarreal SPONSOR: Carona
Relating to use of the Nationwide Mortgage Licensing System and Registry in connection with the regulatory authority of the consumer credit commissioner; affecting fees.

HB 2454 Frank SPONSOR: Estes
Relating to reimbursement of health care services rendered by a health care provider for an inmate of a county jail or another county correctional facility.

HB 2478 Alvarado SPONSOR: Watson
Relating to the collection, study, and reporting by the Texas Workforce Commission of certain information regarding shortages in high-wage, high-demand occupations.

HB 3176 Bohac SPONSOR: Taylor
Relating to the appointment of a board member of a property owners' association to fill a vacancy.

HB 3668 Naishtat SPONSOR: Ellis
Relating to an individual's responsibilities following an accident reasonably likely to result in injury to or death of a person; imposing criminal penalties.

HB 3739 Burnam SPONSOR: Garcia
Relating to the continued employment of municipal employees who become candidates for public office.
(Amended)

HB 3813 Howard SPONSOR: Watson
Relating to municipal fire suppression standards in certain municipalities.
(Committee Substitute/Amended)

THE SENATE HAS CONCURRED IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES:

SB 734 (31 Yeas, 0 Nays)

SB 1238 (31 Yeas, 0 Nays)

SB 1372 (31 Yeas, 0 Nays)

SB 1461 (31 Yeas, 0 Nays)

THE SENATE HAS REFUSED TO CONCUR IN THE HOUSE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

SB 215
Senate Conferees: Birdwell - Chair/Duncan/Nichols/Seliger/Watson

SB 217
Senate Conferees: Patrick - Chair/Birdwell/Garcia/Huffman/Whitmire

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 17

Appropriations - **SB 14, SB 16, SJR 1**

Business and Industry - **SB 947, SB 1040, SB 1268**

Corrections - **SB 1440, SB 1839**

County Affairs - **SB 692, SB 1863, SB 1916**

Criminal Jurisprudence - **SB 554, SB 592, SB 977, SB 1439, SB 1522, SB 1798**

Culture, Recreation, and Tourism - **SB 930**

Defense and Veterans' Affairs - **SB 1199**

Elections - **SB 219, SB 315, SB 722, SB 1398**

Environmental Regulation - **SB 459**

Federalism and Fiscal Responsibility, Select - **SCR 6**

Government Efficiency and Reform - **SB 1680, SB 1681**

Higher Education - **SB 27, SB 143, SB 414, SB 490, SB 497, SB 498, SB 1145, SB 1210, SB 1525, SB 1590, SB 1604, SB 1810**

Homeland Security and Public Safety - **SB 231, SB 892, SB 990**

Human Services - **SB 11**

Insurance - **SB 1322**

International Trade and Intergovernmental Affairs - **SCR 27**

Judiciary and Civil Jurisprudence - **SB 110, SB 392, SB 429, SB 1080, SB 1317, SB 1348, SB 1402, SB 1419, SB 1471, SB 1620, SB 1630, SB 1827, SB 1891, SB 1908**

Land and Resource Management - **SB 1560**

Licensing and Administrative Procedures - **SB 766, SB 871**

Natural Resources - **SB 320, SB 321, SB 1635, SB 1873**

Pensions - **SB 220, SB 1413, SB 1436, SB 1812**

Public Education - **SB 306, SB 401, SB 418, SB 453, SB 460, SB 547, SB 832, SB 906, SB 1178, SB 1308, SB 1309, SB 1310, SB 1352, SB 1380, SB 1403, SB 1555, SB 1658, SB 1718, SB 1720**

Public Health - **SB 68, SB 221, SB 380, SB 949, SB 1100, SB 1175, SB 1535, SB 1609, SB 1610, SB 1842**

Special Purpose Districts - **SB 1009, SB 1266, SB 1601**

State Affairs - **SB 121, SB 199, SB 327, SB 512, SB 770, SB 809, SB 1195, SB 1285, SB 1457, SB 1597**

Transportation - **SB 1029, SB 1917**

Urban Affairs - **SB 443, SB 659, SB 1400, SB 1553**

Ways and Means - **SB 489, SJR 32**

May 18

County Affairs - **SB 872**

Defense and Veterans' Affairs - **SB 1373**

Public Education - **SB 1557**

Public Health - **SB 141, SB 316, SB 807, SB 955, SB 1082**

ENGROSSED

May 17 - HB 1260, HB 1587, HB 1588, HB 2640, HB 3916, HB 3942, HB 3945, HB 3954

ENROLLED

May 17 - HB 15, HB 86, HB 120, HB 242, HB 243, HB 248, HB 333, HB 402, HB 436, HB 442, HB 455, HB 518, HB 617, HB 654, HB 712, HB 729, HB 798, HB 808, HB 857, HB 915, HB 944, HB 995, HB 1043, HB 1188, HB 1237, HB 1256, HB 1272, HB 1445, HB 1506, HB 1514, HB 1589, HB 1711, HB 1762, HB 1818, HB 1917, HB 1920, HB 1969,

**HB 2034, HB 2254, HB 2302, HB 2462, HB 2465, HB 2683, HB 3559,
HB 3561, HB 3925, HB 3935, HCR 56**

**May 18 - HB 150, HB 154, HB 220, HB 241, HB 252, HB 308, HB 424,
HB 616, HB 693, HB 736, HB 802, HB 809, HB 845, HB 885, HB 964,
HB 1191, HB 1259, HB 1385, HB 1427, HB 1448, HB 1491, HB 1492,
HB 1580, HB 1772, HB 1973, HB 1982, HB 2006, HB 2015, HB 2137,
HB 2213, HB 2300, HB 2482, HB 2760, HB 2929, HB 2952, HB 3064,
HB 3152, HB 3568, HB 3729, HB 3889, HCR 40, HCR 51, HCR 68, HCR 84,
HCR 87, HCR 96, HCR 102, HJR 147**

SIGNED BY THE GOVERNOR

**May 18 - HB 278, HB 419, HB 584, HB 666, HB 893, HB 994, HB 1016,
HB 1187, HB 1305, HB 1550, HB 1553, HB 1968, HB 2095, HB 2548,
HCR 23, HCR 35, HCR 36, HCR 54**

