

# SENATE JOURNAL

**EIGHTY-THIRD LEGISLATURE — REGULAR SESSION**

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**AUSTIN, TEXAS**

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**PROCEEDINGS**

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## **TWENTY-SEVENTH DAY**

(Monday, March 18, 2013)

The Senate met at 2:09 p.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Birdwell, Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Rodriguez, Schwertner, Seliger, Taylor, Uresti, Watson, West, Whitmire, Williams, Zaffirini.

Absent-excused: Van de Putte.

The President announced that a quorum of the Senate was present.

Pastor David Butler, People's Church, Jacksonville, was introduced by Senator Nichols and offered the invocation as follows:

Dear heavenly Father, I come to You in the mighty name of Jesus, thanking You and praising You for our great State of Texas. I thank You for the plan You gave to our forefathers by which to govern our state and for the division of powers so that our destiny does not rest in the hands of one person. In praying for those in authority, I therefore lift up our Senate to You. I pray that by Your holy power, our legislative bodies would make laws that are just. Father, I ask You to give them wisdom to make decisions that would strengthen and prosper our state. I desire that they would make right decisions concerning the politics, the social welfare, and the economics of our state. I pray that they will be motivated by Your hand and not their own personal concerns. In Jesus' name. Amen.

Senator Whitmire moved that the reading of the Journal of the proceedings of the previous day be dispensed with and the Journal be approved as printed.

The motion prevailed without objection.

### **LEAVE OF ABSENCE**

On motion of Senator Whitmire, Senator Van de Putte was granted leave of absence for today on account of important business.

**MESSAGES FROM THE GOVERNOR**

The following Messages from the Governor were read and were referred to the Committee on Nominations:

March 15, 2013  
Austin, Texas

TO THE SENATE OF THE EIGHTY-THIRD LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas A&M University System Board of Regents for terms to expire February 1, 2019:

Anthony G. "Tony" Buzbee  
Friendswood, Texas  
(replacing Richard Box of Austin whose term expired)

Morris E. Foster  
Austin, Texas  
(Mr. Foster is being reappointed)

Charles W. Schwartz  
Houston, Texas  
(replacing James Wilson, Jr. of Sugar Land whose term expired)

Respectfully submitted,  
/s/Rick Perry  
Governor

March 18, 2013  
Austin, Texas

TO THE SENATE OF THE EIGHTY-THIRD LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be members of the Texas Department of Housing and Community Affairs for terms to expire January 31, 2019:

Leslie Bingham Escareño  
Brownsville, Texas

Lowell A. Keig  
Austin, Texas

The individuals listed above are being reappointed.

Respectfully submitted,  
/s/Rick Perry  
Governor

### ACKNOWLEDGMENT

The President acknowledged the presence of Jimmy Mansour, Founding Chair of the Cancer Prevention and Research Institute of Texas Oversight Committee.

The Senate welcomed its guest.

### SENATE RESOLUTION 479

Senator Ellis offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the 50th anniversary of the United States Supreme Court decision in *Gideon v. Wainwright*; and

WHEREAS, It was 50 years ago on March 18, 1963, that the United States Supreme Court unanimously decided the landmark case of *Gideon v. Wainwright* and ruled that state courts are required under the Constitution to provide counsel in criminal cases for defendants who are unable to afford to pay their own attorneys; and

WHEREAS, The court thus recognized that our adversarial system of criminal justice depends upon a fair contest between the prosecution and the defense, and it further recognized that the adversarial system is an effective means of arriving at just results only when both the prosecution and defense are adequately prepared and equipped to present their case effectively under the law; and

WHEREAS, In the words of Justice Hugo Black, "This noble ideal cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him"; and

WHEREAS, Because the assistance of counsel is essential to effectuate a meaningful defense when faced with prosecution by the state, Texas passed the *Fair Defense Act of 2001* to better ensure that the constitutional rights of all Texans would be more reliably safeguarded; and

WHEREAS, Implementation of the Fair Defense Act has led to many more people receiving public defense services, along with earlier access to counsel and improved quality of the services provided; and

WHEREAS, The Fair Defense Act created the Task Force on Indigent Defense, now known as the Texas Indigent Defense Commission, to provide technical support to counties to develop and maintain quality, cost-effective public defense systems and for the first time to provide financial assistance to meet the new requirements and foster innovation in the way public defense services are provided; and

WHEREAS, The new state grant funds administered by the commission have led to the creation of 13 new public defender offices and three managed assigned counsel programs to provide public defense services in more than 180 counties; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby affirm that the principles of fairness and justice recognized in *Gideon v. Wainwright* represent an important and historic step forward in American justice and, upon this occasion of the 50th anniversary of *Gideon v. Wainwright*, recognize and salute the important work being done across the United States and the State of Texas to ensure fairness and justice by guaranteeing access to counsel for all; and, be it further

RESOLVED, That a copy of this Resolution be prepared to commemorate the 50th anniversary of this landmark decision.

**SR 479** was read and was adopted without objection.

### **GUESTS PRESENTED**

Senator Ellis was recognized and introduced to the Senate David Lee Wiggins, exoneree; Sharon Keller, Presiding Judge, Texas Court of Criminal Appeals; Bruce Jacob, former Assistant Attorney General for the State of Florida; Buck Files, President, State Bar of Texas Board of Directors; and Lydia Clay-Jackson, President, Texas Criminal Defense Lawyers Association.

The Senate welcomed its guests.

### **MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Monday, March 18, 2013 - 1

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**SCR 29** Whitmire Sponsor: Murphy  
Granting the legislature permission to adjourn for more than three days during the period beginning on Wednesday, March 13, 2013, and ending on Monday, March 18, 2013.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

### **PHYSICIAN OF THE DAY**

Senator Hinojosa was recognized and presented Dr. Steven Stoltz of Mission as the Physician of the Day.

The Senate welcomed Dr. Stoltz and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

### **GUESTS PRESENTED**

Senator Estes was recognized and introduced to the Senate a Leadership Gainesville delegation.

The Senate welcomed its guests.

**SENATE RESOLUTION 483**

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to acknowledge with great honor the recent election of Pope Francis I; and

WHEREAS, The new pontiff was born Jorge Mario Bergoglio; he is a former cardinal from Argentina and is widely admired as a man of the people; he was elected on March 13, 2013, and is the first pope from Latin America; and

WHEREAS, As a cardinal and as archbishop of Buenos Aires, he worked closely with his parishioners and his clergy; his assumption of the papacy is an affirmation and an acknowledgement of Latin Americans, who claim the largest share of the world's Catholics; and

WHEREAS, Pope Francis I specializes in the kind of pastoral work that will serve the greatest needs of today's Catholic Church; and

WHEREAS, Known for his character and humility, he is a skilled leader who has modernized the Church in Argentina while embracing traditional values, and his election as pope is truly an auspicious event for the Catholic Church; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby congratulate the members of the Catholic Church on the election of Pope Francis I; and, be it further

RESOLVED, That a copy of this Resolution be prepared to commemorate this historic occasion.

**SR 483** was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate a Boys & Girls Clubs of America delegation.

The Senate welcomed its guests.

**INTRODUCTION OF  
BILLS AND RESOLUTIONS POSTPONED**

The President announced that the introduction of bills and resolutions on first reading would be postponed until the end of today's session.

There was no objection.

**CONCLUSION OF MORNING CALL**

The President at 2:33 p.m. announced the conclusion of morning call.

**BIRTHDAY GREETINGS EXTENDED**

The President, on behalf of the Senate, extended birthday greetings to Senator Watson.

**COMMITTEE SUBSTITUTE  
SENATE BILL 198 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 198** at this time on its second reading:

**CSSB 198**, Relating to restrictive covenants regulating drought-resistant landscaping or water-conserving natural turf.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Van de Putte.

**COMMITTEE SUBSTITUTE  
SENATE BILL 198 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 198** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Van de Putte.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**SENATE BILL 223 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 223** at this time on its second reading:

**SB 223**, Relating to designation of certain vehicles of the Texas Division of Emergency Management as authorized emergency vehicles.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Van de Putte.

**SENATE BILL 223 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 223** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Van de Putte.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

### **SENATE BILL 276 ON SECOND READING**

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 276** at this time on its second reading:

**SB 276**, Relating to the authority of certain transportation authorities to create a local government corporation.

The bill was read second time and was passed to engrossment by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to engrossment except as follows:

Absent-excused: Van de Putte.

### **SENATE BILL 276 ON THIRD READING**

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 276** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Van de Putte.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

### **SENATE BILL 460 REREFERRED (Motion In Writing)**

Senator Deuell submitted a Motion In Writing requesting that **SB 460** be withdrawn from the Committee on Education and rereferred to the Committee on Higher Education.

The Motion In Writing prevailed without objection.

### **SENATE BILL 501 REREFERRED (Motion In Writing)**

Senator West submitted a Motion In Writing requesting that **SB 501** be withdrawn from the Committee on Transportation and rereferred to the Committee on Jurisprudence.

The Motion In Writing prevailed without objection.

### **RESOLUTIONS SIGNED**

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 10, HCR 48, HCR 83.**

**MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 2:45 p.m. agreed to adjourn, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

**SENATE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

**SB 1272** by Watson

Relating to the view of the State Capitol.  
To Committee on Economic Development.

**SB 1351** by Carona

Relating to demand-side electric energy resources in the competitive electric market.  
To Committee on Business and Commerce.

**SB 1352** by Van de Putte

Relating to inclusion of mental health concerns in existing state and local coordinated school health efforts.  
To Committee on Education.

**SB 1353** by Van de Putte

Relating to child-care licensing requirements for certain shelters.  
To Committee on Health and Human Services.

**SB 1354** by Van de Putte

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.  
To Committee on Health and Human Services.

**SB 1355** by Van de Putte

Relating to the period for which eligibility lists for beginning positions in certain municipal fire or police departments are effective.  
To Committee on Intergovernmental Relations.

**SB 1356** by Van de Putte

Relating to requiring trauma-informed care training for certain staff of county and state juvenile facilities.  
To Committee on Criminal Justice.

**SB 1357** by Davis

Relating to the use of administrative segregation or seclusion in county jails.  
To Committee on Criminal Justice.

**SB 1358** by Davis

Relating to animal encounter training for peace officers.  
To Committee on Criminal Justice.



**SB 1359** by Rodríguez

Relating to a prohibition of foods containing trans fat.  
To Committee on Business and Commerce.

**SB 1360** by Rodríguez

Relating to the punishment for the offense of tampering with a witness and the evidence that may be offered to show that offense.  
To Committee on Criminal Justice.

**SB 1361** by Rodríguez

Relating to a bill of rights for persons receiving Medicaid long-term services and supports under state benefits programs.  
To Committee on Health and Human Services.

**SB 1362** by Schwertner

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.  
To Committee on Education.

**SB 1363** by Huffman

Relating to testimony or the production of evidence before the legislature or a legislative committee.  
To Committee on State Affairs.

**SB 1364** by Schwertner

Relating to the computation of an electric utility's income taxes.  
To Committee on Business and Commerce.

**SB 1365** by Duncan, Patrick

Relating to the provision of credit by examination for public school students.  
To Committee on Education.

**SB 1366** by Duncan

Relating to the use of certain funds of the Texas Health Insurance Pool.  
To Committee on State Affairs.

**SB 1367** by Duncan

Relating to abolishing the Texas Health Insurance Pool.  
To Committee on State Affairs.

**SB 1368** by Davis

Relating to contracts by certain state governmental entities that involve the exchange or creation of public information.  
To Committee on Open Government.

**SB 1369** by Davis

Relating to providing information to the legislature regarding state and local fiscal impact of legislative measures.  
To Committee on Finance.

**SB 1370** by Davis

Relating to the deposit of money received from the federal government.  
To Committee on Finance.

**SB 1372** by Hinojosa

Relating to the powers and duties of timeshare owners' associations.

To Committee on Business and Commerce.

**SB 1373** by Hinojosa

Relating to the display of the Honor and Remember flag.

To Committee on Veteran Affairs and Military Installations.

**SB 1374** by Hinojosa

Relating to identification requirements for certain fire hydrants and flush valves.

To Committee on Natural Resources.

**SB 1375** by Hinojosa

Relating to self-directed and semi-independent status of certain health care regulatory agencies; making an appropriation; authorizing fees.

To Committee on Health and Human Services.

**SB 1376** by Eltife

Relating to specialty license plates issued to retired members of the United States armed forces.

To Committee on Transportation.

**SB 1377** by Ellis, Davis, Lucio, Rodríguez

Relating to making an appropriation of money from the economic stabilization fund for the Foundation School Program.

To Committee on Finance.

**SB 1378** by Ellis, Davis, Lucio, Rodríguez

Relating to the appropriations of money from the economic stabilization fund for the 2014-2015 state fiscal biennium.

To Committee on Finance.

**SB 1379** by Hancock

Relating to the standard valuation for life insurance, accident and health insurance, and annuities.

To Committee on State Affairs.

**SB 1380** by Patrick

Relating to the placement of video monitoring cameras in self-contained classrooms providing special education services.

To Committee on Education.

**SB 1381** by Hancock

Relating to the effect of certain agreements with a collective bargaining organization on certain state-funded public work contracts.

To Committee on Government Organization.

**SB 1382** by Hancock

Relating to the confidentiality of information obtained by or disclosed to the Texas Department of Insurance.

To Committee on Business and Commerce.

**SB 1384** by Hancock

Relating to the authority of an independent school district to invest in local water projects.

To Committee on Education.

**SB 1385** by Hancock

Relating to notification procedures regarding the Texas Commission on Environmental Quality.

To Committee on Natural Resources.

**SB 1386** by Hancock

Relating to the nonforfeiture requirements of certain life insurance policies.

To Committee on State Affairs.

**SB 1387** by Carona

Relating to water well drillers and pump installers; authorizing fees.

To Committee on Natural Resources.

**SB 1388** by Carona

Relating to identity recovery service contracts.

To Committee on Business and Commerce.

**SB 1389** by Davis

Relating to the disclosure on personal financial statements of service retirement annuities received.

To Committee on State Affairs.

**SB 1390** by Davis

Relating to an audit by the state auditor of the Texas Enterprise Fund.

To Committee on Economic Development.

**SB 1391** by Davis

Relating to a requirement that the comptroller perform a study of the Texas Economic Development Act.

To Committee on Economic Development.

**SB 1392** by Davis

Relating to an audit by the state auditor and a study by the comptroller of the events trust funds.

To Committee on Economic Development.

**SB 1393** by Estes

Relating to the statewide homeland security strategy developed by the governor.

To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1394** by Estes

Relating to the statewide critical infrastructure protection strategy.

To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1395** by Estes

Relating to the regulation of dangerous wild animals.

To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1396** by Estes

Relating to state agency investigations.  
To Committee on Government Organization.

**SB 1397** by Estes

Relating to the regulation of certain surety companies.  
To Committee on Business and Commerce.

**SB 1398** by Estes

Relating to rules governing the allocation of delegates to a political party's national presidential nominating convention.  
To Committee on State Affairs.

**SB 1399** by Estes

Relating to the use of proceeds from a junior college district branch campus maintenance tax.  
To Committee on Higher Education.

**SB 1400** by Estes

Relating to the municipal and county regulation of air guns.  
To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1401** by Carona

Relating to the eligibility of certain providers of laboratory services for health and human services programs.  
To Committee on Health and Human Services.

**SB 1402** by Carona

Relating to access to records and certain information in those records regarding a child placed for adoption.  
To Committee on Health and Human Services.

**SB 1403** by Patrick, Hancock, Seliger

Relating to public school teachers.  
To Committee on Education.

**SB 1404** by Patrick, Uresti

Relating to attendance at and completion of high school by students who are in the conservatorship of the Department of Family and Protective Services.  
To Committee on Education.

**SB 1405** by Nichols

Relating to liability of certain persons assisting in man-made or natural disasters.  
To Committee on State Affairs.

**SB 1406** by Patrick, Campbell

Relating to State Board of Education oversight of regional education service center services and products concerning student curriculum.  
To Committee on Education.

**SB 1407** by Patrick

Relating to the establishment of the recovery school district.  
To Committee on Education.

**SB 1408** by Patrick

Relating to public school performance ratings that reflect acceptable and unacceptable performance.

To Committee on Education.

**SB 1409** by Patrick, Paxton

Relating to public information regarding facilities of school districts and open-enrollment charter schools.

To Committee on Open Government.

**SB 1410** by Patrick

Relating to the establishment of the Texas Equal Opportunity Scholarship Program.

To Committee on Education.

**SB 1411** by Deuell

Relating to regulation of traffic in a conservation and reclamation district by a commissioners court.

To Committee on Transportation.

**SB 1412** by Deuell

Relating to the periods during which breeder deer may be transferred for release.

To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1413** by Deuell

Relating to the administration of retirement systems for paid, partly paid, or volunteer firefighters.

To Committee on State Affairs.

**SB 1414** by Deuell

Relating to certain retail public utilities affected by single certification in incorporated or annexed areas.

To Committee on Natural Resources.

**SB 1415** by Deuell

Relating to notice of termination by suppliers of certain dealer agreements governed by the Fair Practices of Equipment Manufacturers, Distributors, Wholesalers, and Dealers Act.

To Committee on Transportation.

**SB 1416** by Deuell

Relating to the determination of whether a use of force against another is justified.

To Committee on Criminal Justice.

**SB 1417** by Deuell

Relating to enforcement of commercial motor vehicle safety standards in certain municipalities.

To Committee on Transportation.

**SB 1418** by Davis

Relating to the authority of the Department of Public Safety and certain local law enforcement agencies to establish a temporary checkpoint on a highway or street to determine whether persons are driving while intoxicated.

To Committee on Criminal Justice.

**SB 1419** by West

Relating to funding for juvenile case managers through certain fees and court costs and to the establishment of the truancy prevention and diversion fund.

To Committee on Jurisprudence.

**SB 1420** by West

Relating to court costs and fees in criminal proceedings.

To Committee on Jurisprudence.

**SB 1421** by West

Relating to the requirement that a will be attested by witnesses.

To Committee on Jurisprudence.

**SB 1422** by West

Relating to suits affecting the parent-child relationship.

To Committee on Jurisprudence.

**SB 1423** by Hinojosa

Relating to validating certain acts of the Lower Nueces River Water Supply District transferring real property rights.

To Committee on Natural Resources.

**SB 1424** by Hinojosa

Relating to the inclusion of optometrists, therapeutic optometrists, and ophthalmologists in the health care provider networks of certain Medicaid managed care organizations.

To Committee on Health and Human Services.

**SB 1425** by Hinojosa

Relating to the provision of fire prevention or fire-fighting services by certain emergency services districts.

To Committee on Intergovernmental Relations.

**SB 1426** by Hinojosa

Relating to the appointment of county auditors.

To Committee on Intergovernmental Relations.

**SB 1427** by Hinojosa

Relating to the administration of the citrus budwood certification program and the creation of the citrus nursery stock certification program; providing civil, criminal, and administrative penalties and authorizing fees.

To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1428** by Hinojosa

Relating to the reformation of the sentences of juveniles convicted of capital felonies after being transferred to criminal court.

To Committee on Criminal Justice.

**SB 1429** by Hinojosa

Relating to the exemption of the Corpus Christi Aquifer Storage and Recovery Conservation District from certain provisions concerning the desired future conditions of an aquifer.

To Committee on Natural Resources.

**SB 1430** by Hinojosa

Relating to the applicability of certain public works contracting requirements.

To Committee on Government Organization.

**SB 1431** by Hinojosa

Relating to pharmacy benefit managers contracting with the child health plan program, the Medicaid managed care program, and health plans for certain government employees.

To Committee on Health and Human Services.

**SB 1432** by Hinojosa

Relating to the punishment for certain violations of a deer breeder's reporting requirements; providing an administrative penalty.

To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1433** by Hinojosa

Relating to certain regulatory programs administered by the Department of Agriculture; providing penalties; imposing fees.

To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1434** by Hegar

Relating to the definition of new property value for purposes of the calculation of certain ad valorem tax rates for a county.

To Committee on Finance.

**SB 1435** by Hinojosa

Relating to providers' rights to due process under the Medicaid program.

To Committee on Health and Human Services.

**SB 1436** by Paxton

Relating to the service retirement annuity of certain members of the Judicial Retirement System of Texas Plan One and the Judicial Retirement System of Texas Plan Two.

To Committee on State Affairs.

**SB 1437** by Paxton

Relating to authorizing a municipal clerk to file documents electronically for recording with a county clerk.

To Committee on Jurisprudence.

**SB 1438** by Paxton

Relating to the transportation of certain mental health patients.  
To Committee on Health and Human Services.

**SB 1439** by West

Relating to property and evidence technicians.  
To Committee on Criminal Justice.

**SB 1440** by West

Relating to adjudication and disposition of juvenile conduct.  
To Committee on Criminal Justice.

**SB 1441** by Lucio

Relating to mule deer management permits.  
To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1442** by Lucio

Relating to the tort liability of juvenile probation departments and juvenile boards.  
To Committee on State Affairs.

**SB 1443** by Lucio

Relating to an exemption from sales and use tax for certain property purchased using money from the community development block grant disaster recovery program and used to repair or reconstruct a real property improvement damaged by a natural disaster.  
To Committee on Finance.

**SB 1444** by Hinojosa

Relating to the transfer of responsibility for regulating deer breeding from the Parks and Wildlife Department to the Texas Animal Health Commission.  
To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1445** by Hinojosa

Relating to imposing an uncompensated care fee on certain hospitals to provide state funding for the Medicaid program.  
To Committee on Health and Human Services.

**SB 1446** by Hinojosa

Relating to the payment of individuals employed by recovery audit contractors to identify underpayments and overpayments under the Medicaid program.  
To Committee on Health and Human Services.

**SB 1447** by Hinojosa

Relating to the exclusion of certain flow-through funds by taxable entities engaged in the business of transporting barite in determining total revenue for purposes of the franchise tax.  
To Committee on Finance.

**SB 1448** by Hinojosa

Relating to orders of nondisclosure issued for records of certain fine-only misdemeanors; authorizing a fee.  
To Committee on Criminal Justice.



**SB 1449** by Hinojosa

Relating to the transfer of an ad valorem tax lien  
To Committee on Intergovernmental Relations.

**SB 1450** by Hinojosa

Relating to the abolishment of the Texas Racing Commission and the transfer of its powers and duties to the Texas Commission of Licensing and Regulation; providing penalties; authorizing fees.  
To Committee on State Affairs.

**SB 1451** by Hinojosa

Relating to the prosecution of the offense of money laundering and to the forfeiture of certain contraband.  
To Committee on Criminal Justice.

**SB 1452** by Lucio

Relating to authorizing certain border counties and municipalities in those counties to regulate land development; providing a penalty.  
To Committee on Intergovernmental Relations.

**SB 1453** by Rodríguez

Relating to rates charged and credits granted by certain electric utilities to retail customers with on-site solar generation capacity.  
To Committee on Business and Commerce.

**SB 1454** by Taylor

Relating to the regulation of plumbing.  
To Committee on Business and Commerce.

**SB 1455** by Taylor

Relating to the exemption from ad valorem taxation of real property leased to and used by certain schools.  
To Committee on Finance.

**SB 1456** by Taylor

Relating to the regulation of backflow prevention assembly testers by the Texas State Board of Plumbing Examiners; authorizing a fee.  
To Committee on Business and Commerce.

**SB 1457** by Duncan

Relating to transfer of management services for the physical facilities of the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf from the schools' boards of trustees to the Texas Facilities Commission.  
To Committee on Government Organization.

**SB 1458** by Duncan

Relating to the administration of and benefits payable by the Teacher Retirement System of Texas.  
To Committee on State Affairs.

**SB 1459** by Duncan

Relating to the Employees Retirement System of Texas.  
To Committee on State Affairs.

**SB 1460** by Lucio

Relating to appointment of a bailiff to serve the 105th District Court.  
To Committee on Jurisprudence.

**SB 1461** by Carona

Relating to the addition of certain municipalities to the territory of a regional transportation authority.  
To Committee on Transportation.

**SB 1462** by Duncan

Relating to the power of the Railroad Commission of Texas to adopt and enforce safety standards and practices applicable to the transportation by pipeline of certain substances and to certain pipeline facilities.  
To Committee on Natural Resources.

**SB 1463** by West

Relating to certain contracts for Medicaid managed care.  
To Committee on Health and Human Services.

**SB 1464** by Ellis

Relating to a postsecondary education paths pilot program in certain independent school districts.  
To Committee on Education.

**SB 1465** by Estes

Relating to exempting certain amounts charged for certain cable television services from the sales and use tax.  
To Committee on Finance.

**SB 1466** by Estes

Relating to the authority of a municipality to regulate state licensees.  
To Committee on Intergovernmental Relations.

**SB 1467** by Estes

Relating to economic development incentives for firearms manufacturers, firearms accessory manufacturers, and ammunition manufacturers.  
To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 1468** by Estes

Relating to the qualifications of certain electric generation projects for programs designed to encourage the capture and utilization of carbon dioxide for use in enhanced oil recovery.  
To Committee on Natural Resources.

**SB 1469** by Deuell

Relating to alternative assessment of certain public school students under the public school accountability system.  
To Committee on Education.

**SB 1470** by Davis

Relating to the statute of limitations on prosecution of the offenses of kidnapping and aggravated kidnapping of a minor.

To Committee on Criminal Justice.

**SB 1471** by West

Relating to the recusal or disqualification of a statutory probate court judge and subsequent assignment of another judge.

To Committee on Jurisprudence.

**SB 1472** by West

Relating to information that must be included on prepaid calling cards.

To Committee on Business and Commerce.

**SB 1473** by Deuell

Relating to the chief executive officer of the Hopkins County Hospital District and to the delegation of certain authority by the district's board of directors to the chief executive officer.

To Committee on Intergovernmental Relations.

**SB 1474** by Duncan

Relating to the adoption of major curriculum initiatives by a school district.

To Committee on Education.

**SB 1475** by Duncan

Relating to the development and use of a jail-based restoration of competency pilot program.

To Committee on Criminal Justice.

**SB 1476** by West

Relating to the creation of the veteran entrepreneur program by the Texas Veterans Commission.

To Committee on Veteran Affairs and Military Installations.

**SB 1477** by Deuell

Relating to flexibility in the administration of the Medicaid program, a block grant funding approach to Medicaid expansion, and the establishment of a health benefit exchange tailored to the needs of the state.

To Committee on Health and Human Services.

**SB 1478** by Rodriguez

Relating to the satisfaction of annual renewable energy requirements by certain utilities.

To Committee on Business and Commerce.

**SB 1479** by Watson, Schwertner

Relating to the provision of emergency services in the Williamson-Travis Counties Water Control and Improvement District No. 1-F.

To Committee on Intergovernmental Relations.

**SB 1480** by Watson, Schwertner

Relating to the provision of emergency services in the Williamson-Travis Counties Water Control and Improvement District No. 1-G.

To Committee on Intergovernmental Relations.

**SB 1481** by Watson, Schwertner

Relating to the provision of emergency services in the Bella Vista Municipal Utility District.

To Committee on Intergovernmental Relations.

**SB 1482** by Watson

Relating to the issuance of a public security.

To Committee on Natural Resources.

**SB 1483** by Watson

Relating to evaluation of applications for the low income housing tax credit program.

To Committee on Intergovernmental Relations.

**SB 1484** by Watson, Davis, Lucio

Relating to health benefit plan coverage for enrollees diagnosed with autism spectrum disorder.

To Committee on State Affairs.

**SB 1485** by Watson

Relating to the definition of serious mental illness for purposes of certain group health benefit plans.

To Committee on State Affairs.

**SB 1486** by Watson

Relating to the authority of certain university systems to provide benefits to certain qualified individuals.

To Committee on State Affairs.

**SB 1487** by Watson

Relating to the abandonment of a county road.

To Committee on Transportation.

**SB 1488** by Watson

Relating to the authority for the department of transportation to enter into a comprehensive development agreement for the financing, design, acquisition, construction, maintenance, or operation of a rail facility or system.

To Committee on Transportation.

**SB 1489** by Watson

Relating to the powers and jurisdiction of a regional mobility authority.

To Committee on Transportation.

**SB 1490** by Duncan

Relating to the administration of and benefits payable by the Teacher Retirement System of Texas.

To Committee on State Affairs.

**SB 1491** by Van de Putte

Relating to the sale of alcoholic beverages to customers of a package store during certain hours.

To Committee on Business and Commerce.

**SB 1492** by Van de Putte

Relating to the dispute by an insurer of a determination of specific injuries and diagnoses in connection with a compensable injury in certain workers' compensation claims.

To Committee on State Affairs.

**SB 1493** by Van de Putte

Relating to delinquent payment of an alcoholic beverage retailer's account for liquor.

To Committee on Business and Commerce.

**SB 1495** by Hinojosa

Relating to the creation of a health care funding district in certain counties located on the Texas-Mexico border; authorizing the imposition of a tax.

To Committee on Finance.

**SB 1496** by Davis, West

Relating to use of the money from the Texas Enterprise Fund and the Texas emerging technology fund to benefit certain historically underutilized businesses.

To Committee on Economic Development.

**SB 1497** by Deuell

Relating to the cultural and fine arts district program administered by the Texas Commission on the Arts.

To Committee on Government Organization.

**SB 1498** by Deuell

Relating to a sales tax exemption for certain items sold to or used by certain venues that present live music.

To Committee on Finance.

**SB 1499** by West

Relating to establishing a local behavioral health intervention pilot project.

To Committee on Health and Human Services.

**SB 1500** by Rodríguez

Relating to the criteria to be used by the Texas Water Development Board in prioritizing applications for funds for the implementation of water supply projects.

To Committee on Natural Resources.

**SB 1552** by Lucio

Relating to an exemption from ad valorem taxation by a county of a portion of the value of the residence homestead of a veteran who has been honorably discharged.

To Committee on Veteran Affairs and Military Installations.

**SB 1619** by Paxton

Relating to the exemption of inventory of certain retail businesses from ad valorem taxation by a school district.

To Committee on Finance.

**SB 1655** by Williams

Relating to authorizing the Public Utility Commission of Texas to direct the comptroller to return the unappropriated balance of the system benefit fund to retail electric customers.

To Committee on Finance.

**SB 1656** by Williams

Relating to the constitutional limit on the rate of growth of appropriations.

To Committee on Finance.

**SB 1686** by Duncan

Relating to public school finance matters, including the imposition of a state ad valorem tax for elementary and secondary school purposes and a school district ad valorem enrichment tax.

To Committee on Finance.

**SB 1700** by Taylor

Relating to the operation of the Texas Windstorm Insurance Association and the FAIR Plan Association.

To Committee on Business and Commerce.

**SB 1701** by Taylor

Relating to the payment of insured losses of the Texas Windstorm Insurance Association and funding of the catastrophe reserve trust fund.

To Committee on Business and Commerce.

**SB 1702** by Taylor

Relating to residential property insured by the Texas Windstorm Insurance Association.

To Committee on Business and Commerce.

**SB 1808** by Schwertner

Relating to the cost effects of expanding eligibility for medical assistance under the federal Patient Protection and Affordable Care Act.

To Committee on Finance.

**SCR 23** by Patrick

Rejecting unlimited submission to the current administration and Congress, reaffirming the sovereignty of our state, and opposing taxes imposed on the citizens of Texas by the passage of the Affordable Care Act.

To Committee on State Affairs.

**SCR 24** by Hinojosa

Requesting the lieutenant governor and the speaker of the house of representatives to provide for a joint interim legislative study regarding the development and potential economic impact of a cruise industry on the Texas coast between Calhoun and Cameron Counties.

To Committee on Economic Development.

**SCR 25** by West

Urging the attorney general of Texas to expeditiously advance any necessary appeals of the ruling of the 200th Judicial District Court in the school finance case.

To Committee on Finance.

**SCR 26** by Hinojosa

Designating November as COPD Awareness Month for a 10-year period beginning in 2013, and directing the Texas Department of State Health Services to include COPD as a chronic health condition in their public awareness and educational efforts.

To Committee on Health and Human Services.

**SCR 27** by Rodríguez

Urging Congress to reauthorize Section 5056 of the Water Resources Development Act of 2007 and to appropriate sufficient funds for the Rio Grande Environmental Management Program.

To Committee on Natural Resources.

**SCR 28** by Uresti

Designating the first Tuesday in March as Texas Assisted Living Awareness Day for a 10-year period beginning in 2013.

To Committee on Administration.

**SJR 4** by Campbell, Paxton

Proposing a constitutional amendment relating to a person's freedom of religion.

To Committee on State Affairs.

**SJR 49** by Campbell, Paxton

Proposing a constitutional amendment relating to a person's freedom of religion.

To Committee on State Affairs.

**SJR 50** by Lucio

Proposing a constitutional amendment mandating the legislature to require candidates for public elective office in this state to undergo drug screening.

To Committee on State Affairs.

**SJR 51** by Paxton

Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation by one or more political subdivisions of this state a person's inventory held for sale at retail.

To Committee on Finance.

**SJR 52** by Taylor

Proposing a constitutional amendment authorizing the legislature to exempt from ad valorem taxation real property leased to certain schools organized and operated primarily for the purpose of engaging in educational functions.

To Committee on Finance.

**SJR 53** by Estes

Rescinding every application made at any time by the Legislature of the State of Texas to the United States Congress to call a national convention, pursuant to Article V of the United States Constitution, for proposing any amendment or amendments to that Constitution.

To Committee on State Affairs.

**SJR 54** by Hinojosa

Proposing a constitutional amendment repealing the constitutional provision authorizing the creation of a hospital district in Hidalgo County.

To Committee on Intergovernmental Relations.

**SJR 55** by Williams

Proposing a constitutional amendment appropriating the system benefit fund for the purpose of returning system benefit fund fees to retail electric customers.

To Committee on Finance.

**SJR 56** by Williams

Proposing a constitutional amendment concerning the limitation on the rate of growth of state appropriations.

To Committee on Finance.

**SJR 57** by Hancock

Proposing a constitutional amendment to require the legislature to convene following each regular session of the legislature to consider the repeal of laws enacted during that regular session or at a subsequent special session.

To Committee on State Affairs.

**SJR 58** by Duncan

Proposing a constitutional amendment imposing a state property tax for public education, authorizing the legislature to establish for purposes of that tax a limit on the maximum appraised value of a residence homestead of 105 percent of the appraised value of the property for the preceding tax year, prohibiting school district property taxes for maintenance purposes, and authorizing school district property taxes for educational enrichment.

To Committee on Finance.

**SJR 59** by Lucio

Proposing a constitutional amendment to exempt from county ad valorem taxation a portion of the value of the residence homestead of a veteran of the United States armed services who has been honorably discharged.

To Committee on Veteran Affairs and Military Installations.



**SJR 60** by Ellis

Proposing a constitutional amendment to prohibit using voluntarily paid additional fees and surcharges that are dedicated by law for nondedicated general governmental purposes and to prohibit using that money for certification of appropriations for nondedicated purposes or entities.

To Committee on Finance.

**SJR 61** by Schwertner

Proposing a constitutional amendment requiring the reduction of amounts paid by Texans to provide health care to the uninsured if Medicaid eligibility is expanded in accordance with the federal Patient Protection and Affordable Care Act; requiring hospital district tax rate reductions.

To Committee on Finance.

**SJR 62** by Hinojosa

Proposing a constitutional amendment to authorize the creation of emergency and disaster response districts; providing authority to impose a tax and issue bonds.

To Committee on Finance.

**CO-AUTHOR OF SENATE BILL 49**

On motion of Senator Zaffirini, Senator West will be shown as Co-author of **SB 49**.

**CO-AUTHOR OF SENATE BILL 87**

On motion of Senator Ellis, Senator Hinojosa will be shown as Co-author of **SB 87**.

**CO-AUTHOR OF SENATE BILL 89**

On motion of Senator Ellis, Senator Hinojosa will be shown as Co-author of **SB 89**.

**CO-AUTHOR OF SENATE BILL 90**

On motion of Senator Ellis, Senator Hinojosa will be shown as Co-author of **SB 90**.

**CO-AUTHOR OF SENATE BILL 152**

On motion of Senator Nelson, Senator West will be shown as Co-author of **SB 152**.

**CO-AUTHOR OF SENATE BILL 401**

On motion of Senator Lucio, Senator West will be shown as Co-author of **SB 401**.

**CO-AUTHOR OF SENATE BILL 484**

On motion of Senator Whitmire, Senator West will be shown as Co-author of **SB 484**.

**CO-AUTHOR OF SENATE BILL 576**

On motion of Senator Watson, Senator Eltife will be shown as Co-author of **SB 576**.

**CO-AUTHOR OF SENATE BILL 628**

On motion of Senator Watson, Senator Zaffirini will be shown as Co-author of **SB 628**.

**CO-AUTHOR OF SENATE BILL 746**

On motion of Senator Nelson, Senator West will be shown as Co-author of **SB 746**.

**CO-AUTHOR OF SENATE BILL 750**

On motion of Senator Ellis, Senator Hinojosa will be shown as Co-author of **SB 750**.

**CO-AUTHOR OF SENATE BILL 922**

On motion of Senator Birdwell, Senator Schwertner will be shown as Co-author of **SB 922**.

**CO-AUTHOR OF SENATE BILL 955**

On motion of Senator Schwertner, Senator Birdwell will be shown as Co-author of **SB 955**.

**CO-AUTHOR OF SENATE BILL 1141**

On motion of Senator Duncan, Senator Schwertner will be shown as Co-author of **SB 1141**.

**CO-AUTHOR OF SENATE BILL 1142**

On motion of Senator Duncan, Senator Schwertner will be shown as Co-author of **SB 1142**.

**CO-AUTHOR OF SENATE BILL 1195**

On motion of Senator Ellis, Senator Zaffirini will be shown as Co-author of **SB 1195**.

**CO-AUTHOR OF SENATE BILL 1395**

On motion of Senator Estes, Senator Campbell will be shown as Co-author of **SB 1395**.

**CO-AUTHOR OF SENATE BILL 1611**

On motion of Senator Ellis, Senator Hinojosa will be shown as Co-author of **SB 1611**.

**CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 23**

On motion of Senator Patrick, Senator Taylor will be shown as Co-author of **SCR 23**.

**CO-AUTHORS OF SENATE JOINT RESOLUTION 13**

On motion of Senator Eltife, Senators Davis, Lucio, Seliger, and Uresti will be shown as Co-authors of **SJR 13**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

- SR 463** by Estes, In memory of Effie Mae Caffee.  
**SR 468** by Campbell, In memory of Mary Lou Grier.  
**SR 471** by Uresti, In memory of Larry Gale Nelson.  
**SR 473** by West, In memory of Ellis Davis, Jr.

**Congratulatory Resolutions**

- SR 423** by Nelson, Recognizing Boy Scout Troop 7 in Grapevine on the occasion of its 100th anniversary.  
**SR 424** by Nelson, Recognizing the Pregnancy Resource Centers in Texas.  
**SR 433** by Davis and Ellis, Recognizing Ruby Cole Session for her achievements.  
**SR 464** by Ellis, Commending Sharif Nassef Ariel Stallworth for achieving the rank of Eagle Scout.  
**SR 465** by Ellis, Commending Jarrett O'Keith Villery for achieving the rank of Eagle Scout.  
**SR 467** by Schwertner, Recognizing United Way of Williamson County for its service.  
**SR 470** by Ellis, Recognizing the leaders of Boy Scout Troop 740 in Houston.  
**SR 474** by Hancock, Commending the Texas Rangers baseball club for its 2012 season.  
**SR 475** by Campbell, Commending Anne Cornell and Aaron Mason for visiting all the state's courthouses.  
**SR 482** by Hinojosa, Commending Matthew Michael Bridges for achieving the rank of Eagle Scout.

**Official Designation Resolutions**

- SR 466** by Schwertner, Recognizing July 1 through July 4, 2013, as the Texas Family Reunion.  
**SR 481** by Seliger, Recognizing the Best of the Basin BBQ Championship as a Texas State Barbecue Championship competition.

**(Senator Deuell in Chair)**

**ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 3:18 p.m. adjourned until 11:00 a.m. tomorrow.

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**APPENDIX**

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**COMMITTEE REPORTS**

The following committee reports were received by the Secretary of the Senate in the order listed:

March 18, 2013

GOVERNMENT ORGANIZATION — **CSSB 615, SB 533, SB 202, CSSB 700, CSSB 770**

CRIMINAL JUSTICE — **SB 12, CSSB 358, CSSB 187**

BUSINESS AND COMMERCE — **CSSB 697, CSSB 852, CSSB 847, CSSB 839, CSSB 569**

OPEN GOVERNMENT — **CSSB 471**

JURISPRUDENCE — **SB 129, SB 479**

CRIMINAL JUSTICE — **CSSB 462, CSSB 344**

JURISPRUDENCE — **CSSB 117, CSSB 130**

HIGHER EDUCATION — **SB 52**

HEALTH AND HUMAN SERVICES — **CSSB 58, SB 329, CSSB 348, CSSB 504, CSSB 771**

BUSINESS AND COMMERCE — **CSSB 614, CSSB 849**

ECONOMIC DEVELOPMENT — **SB 51, SB 551, SB 585**

INTERGOVERNMENTAL RELATIONS — **SB 564, SB 587, SB 604, SB 605, SB 606, SB 608, SB 609, SB 610, SB 696, SB 703, SB 704, SB 705**

CRIMINAL JUSTICE — **CSSB 231**

HIGHER EDUCATION — **CSSB 256**

INTERGOVERNMENTAL RELATIONS — **CSSB 543, CSSB 385**

BUSINESS AND COMMERCE — **CSSB 515, CSSB 516, CSSB 517, CSSB 518, CSSB 581, CSSB 639**

CRIMINAL JUSTICE — **CSSB 511**

ECONOMIC DEVELOPMENT — **CSSB 741, CSSB 658, CSSB 441**

GOVERNMENT ORGANIZATION — **CSSB 59**

JURISPRUDENCE — **CSSB 395**

NATURAL RESOURCES — **CSSB 448, CSSB 885**

ADMINISTRATION — **SCR 10**

**BILLS ENGROSSED**March 13, 2013

**SB 24, SB 50, SB 53, SB 60, SB 61, SB 63, SB 64, SB 66, SB 67, SB 68, SB 109, SB 111, SB 112, SB 120, SB 126, SB 127, SB 128, SB 138, SB 141, SB 147, SB 148, SB 153, SB 157, SB 159, SB 166, SB 168, SB 169, SB 176, SB 183, SB 185, SB 192, SB 193, SB 194, SB 228, SB 230, SB 232, SB 244, SB 245, SB 246, SB 251, SB 259, SB 265, SB 268, SB 273, SB 274, SB 279, SB 283, SB 288, SB 289, SB 293, SB 297, SB 306, SB 327, SB 328, SB 349, SB 350, SB 351, SB 353, SB 355, SB 359, SB 362, SB 364, SB 365, SB 381, SB 382, SB 383, SB 389, SB 390, SB 391, SB 397, SB 398, SB 406, SB 408, SB 409, SB 411, SB 412, SB 422, SB 425, SB 426, SB 428, SB 429, SB 447, SB 466, SB 474, SB 499, SB 506, SB 512, SB 529, SB 540, SB 562, SB 589, SB 618, SB 631, SB 642, SB 652, SB 661, SB 699, SB 702**

**RESOLUTIONS ENROLLED**March 13, 2013

**SR 413, SR 437, SR 447, SR 448, SR 452, SR 453, SR 454, SR 455, SR 456, SR 457, SR 458**





