

# HOUSE JOURNAL

EIGHTY-SECOND LEGISLATURE, REGULAR SESSION

## PROCEEDINGS

THIRTY-SIXTH DAY — WEDNESDAY, MARCH 16, 2011

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

The roll of the house was called and a quorum was announced present (Record 98).

Present — Mr. Speaker; Aliseda; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eiland; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Price; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

The invocation was offered by John Hall, pastor, Field Street Baptist Church, Cleburne, as follows:

Our Father in heaven, thy sacred word reveals to us that the majesty of your name fills the earth. Your glory is higher than the heavens. You are our rock, our strength, our fortress, our Savior. When you see the shadow sides of our hearts, how is it that you are mindful of us? How is it that you care so deeply for us as so marvelously demonstrated by the gift and sacrificial death of your son, Jesus Christ? In your sovereignty, goodness, and grace, you put us in charge of everything you have created, granting us authority over all things. You have entrusted us with much. Forgive us of our many, many sins and look instead through the eyes of your unfailing love, for you are merciful, O God.

Thank you, Father, for each person you have divinely appointed to serve as a representative of the people of Texas. Their job is hard, often thankless, and constantly second guessed. We acknowledge that these modern days are complex

times. The people of our state, nation, and local communities are worried, anxious, and fearful of the future. Rarely before has our state and nation had to stare in the face of such multifaceted issues, issues which bring us to our knees because we are struggling to identify workable solutions to complicated problems. Decisions made here in Austin will impact numerous lives and livelihoods. We humbly concede that this is a desperate hour and we need your guidance now more than ever. O God, thank you that your true and trustworthy word tells us to pray about everything and not to worry. You invite us to cast all our cares upon you, because you care about what happens to us. Thus, here we are again, Lord, at the beginning of this day and legislative session, making our earnest appeal to you for help. For your glory, show these men and women the path to walk and point out the right road to follow. Grant each a unique measure of skill, discernment, and courage to work in unison with one another for the greater welfare of the people of this great state, Texas. We declare our utter dependence upon you.

Finally, we ask you to bring revival and spiritual awakening to our land. What Texas ultimately needs, what America needs, and what our world needs is a fresh outpouring of your Holy Spirit, resulting in genuine repentance from sin and a turning to Christ in faith to save us from the consequence of sin. We know that only you can do what the law of man can never do, and that is to change a person's heart. Use these men and women today to bring about your purposes as decreed in the kind intention of your will. In Jesus' name. Amen.

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

### **REGULAR ORDER OF BUSINESS SUSPENDED**

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

### **CAPITOL PHYSICIAN**

The speaker recognized Representative R. Anderson who presented Dr. Antony Anderson of Grand Prairie as the "Doctor for the Day."

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

(Price in the chair)

### **MESSAGE FROM THE SENATE**

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

### **BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER**

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 10 and Senate List No. 10).

**HR 522 - ADOPTED**  
**(by Aliseda)**

Representative Aliseda moved to suspend all necessary rules to take up and consider at this time **HR 522**.

The motion prevailed.

The following resolution was laid before the house:

**HR 522**, Recognizing March 16, 2011, as Karnes County Day at the State Capitol.

**HR 522** was read and was adopted.

On motion of Representative Peña, the names of all the members of the house were added to **HR 522** as signers thereof.

**INTRODUCTION OF GUESTS**

The chair recognized Representative Aliseda who introduced a delegation from Karnes County.

**HR 835 - ADOPTED**  
**(by Veasey)**

Representative Veasey moved to suspend all necessary rules to take up and consider at this time **HR 835**.

The motion prevailed.

The following resolution was laid before the house:

**HR 835**, Honoring the Kids Who Care theater company of Fort Worth.

**HR 835** was adopted.

**RESOLUTIONS ADOPTED**

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 806** and **HR 807**.

The motion prevailed.

The following resolutions were laid before the house:

**HR 806** (by Dutton), Honoring John Saunders Chase, Jr., of Houston for his achievements in the field of architecture.

**HR 807** (by Dutton), Honoring the First Shiloh Missionary Baptist Church in Houston on the 120th anniversary of its founding.

The resolutions were adopted.

**HB 3808 - PERMISSION TO INTRODUCE**

Representative T. King requested permission to introduce and have placed on first reading **HB 3808**.

Permission to introduce was granted by (Record 99): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Aliseda; Allen; Alonzo; Anchia; Anderson, C.; Anderson, R.; Aycock; Beck; Berman; Bohac; Bonnen; Branch; Brown; Burkett; Burnam; Button; Cain; Callegari; Carter; Castro; Chisum; Christian; Coleman; Cook; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, S.; Davis, Y.; Deshotel; Driver; Dukes; Dutton; Eissler; Elkins; Farias; Farrar; Fletcher; Flynn; Frullo; Gallego; Garza; Geren; Giddings; Gonzales, L.; Gonzales, V.; Gonzalez; Gooden; Guillen; Gutierrez; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Hernandez Luna; Hilderbran; Hochberg; Hopson; Howard, C.; Howard, D.; Huberty; Hughes; Hunter; Isaac; Jackson; Johnson; Keffer; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Landtroop; Larson; Laubenberg; Lavender; Legler; Lewis; Lozano; Lucio; Lyne; Madden; Mallory Caraway; Margo; Marquez; Martinez; Martinez Fischer; McClendon; Menendez; Miles; Miller, D.; Miller, S.; Morrison; Muñoz; Murphy; Naishtat; Nash; Oliveira; Orr; Otto; Parker; Patrick; Paxton; Peña; Perry; Phillips; Pickett; Pitts; Quintanilla; Raymond; Reynolds; Riddle; Ritter; Rodriguez; Schwertner; Scott; Sheets; Sheffield; Shelton; Simpson; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Taylor, L.; Taylor, V.; Thompson; Torres; Truitt; Turner; Veasey; Villarreal; Vo; Walle; Weber; White; Woolley; Workman; Zedler; Zerwas.

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

Absent — Alvarado; Eiland.

#### STATEMENT OF VOTE

When Record No. 99 was taken, I was in the house but away from my desk. I would have voted yes.

Alvarado

#### HR 808 - ADOPTED (by Y. Davis and Giddings)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 808**.

The motion prevailed.

The following resolution was laid before the house:

**HR 808**, Welcoming members of the Leadership Southwest Class of 2011 to the State Capitol on March 16, 2011.

**HR 808** was adopted.

#### HR 829 - ADOPTED (by Dutton)

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **HR 829**.

The motion prevailed.

The following resolution was laid before the house:

**HR 829**, Honoring six former death row inmates who have been exonerated for their tenacity in the pursuit of justice and for their contributions to the debate over criminal justice policy.

**HR 829** was read and was adopted.

On motion of Representative Dutton, the names of all the members of the house were added to **HR 829** as signers thereof.

### INTRODUCTION OF GUESTS

The chair recognized Representative Dutton who introduced Albert Burrell, Clarence Brandley, and Ron Keine.

### HR 856 - ADOPTED

(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 856**.

The motion prevailed.

The following resolution was laid before the house:

**HR 856**, Commending Jasmine Saucedo for her service as an intern in the office of State Representative Yvonne Davis.

**HR 856** was adopted.

### RULES SUSPENDED

Representative Gallego moved to suspend all necessary rules to allow the Committee on Criminal Jurisprudence to consider pending business during bill referral today in 3N.3.

The motion prevailed.

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Gallego requested permission for the Committee on Criminal Jurisprudence to meet while the house is in session, during bill referral today, in 3N.3, to consider pending business.

Permission to meet was granted.

(Parker in the chair)

### HR 831 - ADOPTED

(by Sheffield)

Representative Sheffield moved to suspend all necessary rules to take up and consider at this time **HR 831**.

The motion prevailed.

The following resolution was laid before the house:

**HR 831**, Congratulating Little Joe Hernandez y La Familia on winning the Grammy Award for Best Tejano Album at the 53rd annual Grammy Awards.

**HR 831** was read and was adopted.

On motion of Representative Lozano, the names of all the members of the house were added to **HR 831** as signers thereof.

### INTRODUCTION OF GUESTS

The chair recognized Representative Sheffield who introduced Joe Hernandez and Tony Matamoros.

(L. Gonzales in the chair)

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Kolkhorst requested permission for the Committee on Public Health to meet while the house is in session, during bill referral today, in E2.012, to consider the previously posted agenda.

Permission to meet was granted.

### HCR 150 - ADOPTED (by Branch)

Representative Branch moved to suspend all necessary rules to take up and consider at this time **HCR 150**.

The motion prevailed.

The following resolution was laid before the house:

**HCR 150**, Honoring Sam Houston for his statesmanship on the 150th anniversary of his refusal to take the oath of allegiance to the Confederate States of America.

**HCR 150** was adopted.

On motion of Representative Legler, the names of all the members of the house were added to **HCR 150** as signers thereof.

### HCR 150 - REMARKS

REPRESENTATIVE BRANCH: Thank you Mr. Speaker, and members. We've had a lot of anniversaries this year, and this is an important one to me in the sense that it points out the courage that Governor Houston had to follow his principles and not take an oath. He believed deeply in Texas staying in the Union, and 150 years ago today he did what was extremely unpopular at the time—he gave up his office in order to live by his principles and belief that the Union should stay together, and I wanted to honor him for that here today on this anniversary.

### COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Criminal Jurisprudence, during bill referral today, 3N.3, for a formal meeting, to consider pending business.

### COMMITTEE GRANTED PERMISSION TO MEET

Representative Alvarado requested permission for the Committee on Urban Affairs to meet while the house is in session, during bill referral today, in E2.016.

Permission to meet was granted.

**COMMITTEE MEETING ANNOUNCEMENT**

The following committee meeting was announced:

Corrections, 8 a.m. tomorrow, E2.020, for a formal meeting, to consider **HB 1915**.

**COMMITTEE GRANTED PERMISSION TO MEET**

Representative Phillips requested permission for the Committee on Transportation to meet while the house is in session, during bill referral today, in E2.028, to consider previously posted and pending business.

Permission to meet was granted.

**REMARKS ORDERED PRINTED**

Representative Legler moved to print remarks by Representative Branch on **HCR 150**.

The motion prevailed.

**PROVIDING FOR A CONGRATULATORY  
AND MEMORIAL CALENDAR**

Representative McClendon moved to set a congratulatory and memorial calendar for 10:30 a.m. tomorrow.

The motion prevailed.

**PROVIDING FOR ADJOURNMENT**

Representative Raymond 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 Barbara Ann Kazen of Laredo.

The motion prevailed.

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

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. Pursuant to Rule 1, Section 4 of the House Rules, the chair at this time corrected the referral of measures to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(L. Taylor in the chair)

**ADJOURNMENT**

In accordance with a previous motion, the house, at 11:40 a.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**

**HB 2136** (By Guillen), Relating to regional contracted brokers and subcontractors of regional contracted brokers providing Medicaid nonemergency medical transportation services.

To Insurance.

**HB 2514** (By Callegari), Relating to state administration of assessment instruments to public school students.

To Public Education.

**HB 2630** (By Branch), Relating to the formal recognition of The Texas A&M University System Health Science Center and to administration of the health institutions and programs of the system.

To Higher Education.

**HB 2631** (By Branch), Relating to the advanced research program.

To Higher Education.

**HB 2632** (By Driver), Relating to access to the criminal history record information of certain persons by the Texas Facilities Commission.

To State Affairs.

**HB 2633** (By Madden), Relating to the office of inspector general of the Texas Youth Commission.

To Corrections.

**HB 2634** (By Madden), Relating to extending workers' compensation benefits for certain state employees.

To State Affairs.

**HB 2635** (By Kolkhorst), Relating to the composition of the First, Tenth, and Fourteenth Courts of Appeals Districts.

To Judiciary and Civil Jurisprudence.

**HB 2636** (By Kolkhorst), Relating to a commission to study neonatal intensive care units.

To Public Health.

**HB 2637** (By Chisum), Relating to premarital education courses.

To State Affairs.



**HB 2638** (By Chisum), Relating to intervention by the attorney general in a suit involving recognition of a same-sex marriage or civil union.

To Judiciary and Civil Jurisprudence.

**HB 2639** (By Chisum), Relating to motor vehicle inspections that employ remote sensing equipment.

To Environmental Regulation.

**HB 2640** (By Rodriguez), Relating to the use of certain information by the State Bar of Texas to notify a person licensed to practice law in this state of accredited continuing legal education activities.

To Judiciary and Civil Jurisprudence.

**HB 2641** (By Burnam), Relating to a civil action for deprivation of rights.

To Judiciary and Civil Jurisprudence.

**HB 2642** (By Huberty), Relating to the authority of the Public Utility Commission of Texas in relation to extended service areas and toll-free local calling areas.

To State Affairs.

**HB 2643** (By Hamilton), Relating to safety standards for elevators, escalators, and related equipment.

To Licensing and Administrative Procedures.

**HB 2644** (By Dukes), Relating to providing proof of identity to obtain a one-trip or 30-day trip permit for the transit of certain unregistered vehicles.

To Transportation.

**HB 2645** (By Murphy), Relating to the exclusion of subcontracting payments made by a staff leasing services company in determining total revenue for purposes of the franchise tax.

To Ways and Means.

**HB 2646** (By Orr), Relating to distribution by the School Land Board of revenue derived from permanent school fund land or other properties to the available school fund.

To Land and Resource Management.

**HB 2647** (By Fletcher), Relating to trials for misdemeanor cases.

To Criminal Jurisprudence.

**HB 2648** (By Fletcher), Relating to the reestablishment of the Texas Bleeding Disorders Advisory Council.

To Public Health.

**HB 2649** (By Allen), Relating to the award of diligent participation credit to defendants confined in a state jail felony facility.

To Corrections.

**HB 2650** (By Allen), Relating to the establishment of a procedure for imposing intermediate sanctions on a person who violates certain conditions of community supervision.

To Corrections.

**HB 2651** (By Allen), Relating to the eligibility of visitors to use certain public transportation services for people with disabilities.

To Transportation.

**HB 2652** (By Pitts), Relating to the Texas Economic Development Act.

To Appropriations.

**HB 2653** (By V. Taylor), Relating to the contractual revocation of pension benefits of certain public employees convicted of an offense.

To Pensions, Investments, and Financial Services.

**HB 2654** (By Sheets), Relating to an exclusion from unemployment compensation chargebacks for certain employers of uniformed service members.

To Economic and Small Business Development.

**HB 2655** (By Sheets), Relating to notice of coverage reduction on renewal of a property/casualty insurance policy.

To Insurance.

**HB 2656** (By S. Miller), Relating to exemption from application of the Private Security Act of certain peace officers employed by a law enforcement agency.

To Homeland Security and Public Safety.

**HB 2657** (By T. King), Relating to nonsubstantive additions to and corrections in enacted codes, to the nonsubstantive codification or disposition of various laws omitted from enacted codes, and to conforming codifications enacted by the 81st Legislature to other Acts of that legislature.

To Government Efficiency and Reform.

**HB 2658** (By Lavender), Relating to architectural barriers standards.

To Government Efficiency and Reform.

**HB 2659** (By Lavender), Relating to prohibiting abortion except when medically necessary or when the pregnancy is the result of rape or incest.

To State Affairs.

**HB 2660** (By J. Davis), Relating to transferring certain functions of the Texas Department of Housing and Community Affairs to the Texas State Affordable Housing Corporation.

To Urban Affairs.

**HB 2661** (By Kleinschmidt), Relating to settlement of certain civil actions.

To Judiciary and Civil Jurisprudence.

**HB 2662** (By Hochberg), Relating to child abduction.

To Criminal Jurisprudence.

**HB 2663** (By Chisum), Relating to the effect of rules and standards adopted by the Railroad Commission of Texas relating to the liquefied petroleum gas industry on ordinances, orders, or rules adopted by political subdivisions relating to that industry.

To Energy Resources.

**HB 2666** (By Truitt), Relating to the administration of certain immunizations or vaccinations by a pharmacist.

To Public Health.

**HB 2667** (By Miles), Relating to operating permit fees for air pollutant emissions.

To Environmental Regulation.

**HB 2668** (By Miles), Relating to administrative penalties imposed by the Texas Commission on Environmental Quality.

To Natural Resources.

**HB 2669** (By Miles), Relating to the creation of an advisory committee to study urban farming.

To Agriculture and Livestock.

**HB 2670** (By Miles), Relating to validating certain acts and proceedings of Harris County Improvement District No. 5 and to the boundaries of the district.

To Natural Resources.

**HB 2671** (By Miles), Relating to the disclosure of personal information under the Motor Vehicle Records Disclosure Act.

To Transportation.

**HB 2672** (By Dutton), Relating to safety measures for culverts or other similar flood or drainage systems maintained by governmental entities.

To Urban Affairs.

**HB 2673** (By Dutton), Relating to the calculation of tree mitigation fees charged by a municipality in connection with a permit.

To Urban Affairs.

**HB 2674** (By Raymond), Relating to the creation of a childhood health program grant.

To Human Services.

**HB 2675** (By Harper-Brown), Relating to the continuation and functions of the Texas Department of Transportation; providing penalties.

To Transportation.

**HB 2676** (By Raymond), Relating to the appointment of bailiffs in certain Dallas County courts.

To Judiciary and Civil Jurisprudence.

**HB 2677** (By Shelton), Relating to customer choice for school districts served by municipally owned electric utilities and electric cooperatives.

To State Affairs.

**HB 2678** (By T. Smith), Relating to the regulation of driver training schools and instruction.

To Public Education.

**HB 2679** (By T. Smith), Relating to appeals regarding dangerous dogs.

To County Affairs.

**HB 2680** (By T. King), Relating to the procedure for certain small local exchange companies to propose to offer certain services or to make a minor change in a rate or tariff.

To State Affairs.

**HB 2681** (By Hartnett), Relating to the protection of trade secrets.

To Insurance.

**HB 2682** (By Lucio), Relating to requiring upholstered furniture sold in this state to be made with filling that is burn resistant to an open flame; imposing a criminal penalty.

To Business and Industry.

**HB 2683** (By Lucio), Relating to the adoption or implementation of certain optional provisions by municipalities participating in the Texas Municipal Retirement System.

To Pensions, Investments, and Financial Services.

**HB 2684** (By Lucio), Relating to the foreclosure process; creating an offense; providing penalties.

To Business and Industry.

**HB 2685** (By Lucio), Relating to the enforcement of state laws prohibiting the operation of a motor vehicle while intoxicated.

To Homeland Security and Public Safety.

**HB 2686** (By Lucio), Relating to the impoundment of a motor vehicle involved in an accident if operated without financial responsibility.

To Transportation.

**HB 2687** (By Lucio), Relating to county regulation of sound levels; providing a criminal penalty.

To County Affairs.

**HB 2688** (By Lucio), Relating to the amount of a scholarship awarded under the Texas Armed Services Scholarship Program.

To Defense and Veterans' Affairs.

**HB 2689** (By Deshotel), Relating to certain inmates entering certain pleas by mail or certain secure electronic transmissions.

To Criminal Jurisprudence.

**HB 2690** (By Deshotel), Relating to authorizing local governments to convey real property interests to other local governments for less than fair market value.

To County Affairs.

**HB 2691** (By Deshotel), Relating to the submission date of the office of injured employee counsel's legislative report.

To State Affairs.

**HB 2692** (By Deshotel), Relating to the authority of the office of injured employee counsel under the workers' compensation program to obtain grant funding.

To State Affairs.

**HB 2693** (By Deshotel), Relating to the regulation of manufactured housing by the Texas Department of Licensing and Regulation.

To Licensing and Administrative Procedures.

**HB 2694** (By W. Smith), Relating to the continuation and functions of the Texas Commission on Environmental Quality and abolishing the On-site Wastewater Treatment Research Council.

To Environmental Regulation.

**HB 2695** (By J. Davis), Relating to requiring health and human services agencies to give preference to certain persons in making hiring decisions.

To Human Services.

**HB 2696** (By Eiland), Relating to the application of the limit on appraised value of a residence homestead for ad valorem tax purposes to an improvement that is a replacement structure for a structure that was rendered uninhabitable or unusable by a casualty or by wind or water damage.

To Ways and Means.

**HB 2697** (By Eiland), Relating to payment of out-of-network ambulatory surgery benefits by certain health benefit plans.

To Insurance.

**HB 2698** (By Eiland), Relating to surplus lines insurance.

To Insurance.

**HB 2699** (By Eiland), Relating to the requirements for an insurance adjuster license.

To Insurance.

**HB 2700** (By Eiland), Relating to an allotment under the public school finance system for the cost of windstorm and hail insurance.

To Insurance.

**HB 2701** (By Eiland), Relating to sexual abuse and child molestation training for volunteers and employees of certain programs for minors held on campuses of institutions of higher education; providing penalties.

To Higher Education.

**HB 2702** (By Solomons), Relating to the application of statutes that classify political subdivisions according to population.

To State Affairs.

**HB 2703** (By Truitt), Relating to the regulation of orthotists and prosthetists.

To Public Health.

**HB 2704** (By Sheffield), Relating to a parent's right to object to physical fitness assessment of the parent's child by a school district.

To Public Education.

**HB 2705** (By Zedler), Relating to tuition and fee exemptions at public institutions of higher education for certain Texas military veterans.

To Higher Education.

**HB 2706** (By Nash), Relating to a study of child abuse or neglect committed by a foster child against another foster child.

To Human Services.

**HB 2707** (By Burnam), Relating to the holding of an interest in certain alcoholic beverage licenses, permits, or premises by certain persons whose alcoholic beverage license or permit has been revoked.

To Licensing and Administrative Procedures.

**HB 2708** (By Burnam), Relating to certain activities by, employment of, and contracts of former members of the legislature and state agency heads; creating offenses.

To Elections.

**HB 2709** (By Turner), Relating to energy and efficiency conservation programs administered by the Texas Public Utility Commission.

To State Affairs.

**HB 2710** (By Turner), Relating to cable attachments to electric facilities of electric cooperatives.

To State Affairs.

**HB 2711** (By Thompson), Relating to the sealing of the records of juveniles who are the victims of human trafficking and have been adjudicated to have engaged in certain delinquent conduct.

To Judiciary and Civil Jurisprudence.

**HB 2712** (By Thompson), Relating to providing notice of a change in certain contact information of an alcoholic beverage license or permit holder.

To Licensing and Administrative Procedures.

**HB 2713** (By Thompson), Relating to refinancing low-rate home loans involving natural disaster recovery funds.

To Pensions, Investments, and Financial Services.

**HB 2714** (By Thompson), Relating to judicial review of a decision to terminate certain federal housing assistance.

To Judiciary and Civil Jurisprudence.

**HB 2715** (By Turner), Relating to the continuation of and powers and duties of the Office of Public Utility Counsel to represent residential and small commercial utility consumers.

To State Affairs.

**HB 2716** (By Darby), Relating to the management and preservation of the county clerk's records and to the county clerk's records archive.

To County Affairs.

**HB 2717** (By Darby), Relating to certain duties, functions, and procedures of county clerks, district clerks, and local registrars.

To County Affairs.

**HB 2718** (By S. Miller), Relating to the definition of peace officer.

To Homeland Security and Public Safety.

**HB 2719** (By Harper-Brown), Relating to the clarification of the circumstances under which a retailer is considered to be engaged in business in this state, and the information required to be provided by certain retailers, for purposes of the collection of sales and use taxes.

To Ways and Means.

**HB 2720** (By Pitts), Relating to unpaid furloughs for state employees.

To Appropriations.

**HB 2721** (By Eissler), Relating to the public school finance system.

To Public Education.

**HB 2722** (By Perry), Relating to the state Medicaid program as the payor of last resort.

To Public Health.

**HB 2723** (By Walle), Relating to notice of premium increase for certain accident and health insurance policies and small employer health benefit plans.

To Insurance.

**HB 2724** (By Walle), Relating to the requirement that certain information accompany residential property and personal automobile insurance documents.

To Insurance.

**HB 2725** (By Hartnett), Relating to the determination of incompetency in criminal cases.

To Criminal Jurisprudence.

**HB 2726** (By Hartnett), Relating to liability of an employee of an independent contractor of a transportation entity.

To Judiciary and Civil Jurisprudence.

**HB 2727** (By Thompson), Relating to the regulation of cosmetology, including the application of eyelash extensions.

To Licensing and Administrative Procedures.

**HB 2728** (By Thompson), Relating to the operation and regulation of charitable bingo.

To Licensing and Administrative Procedures.

**HB 2729** (By Callegari), Relating to local government authority to develop public infrastructure and facilities.

To Urban Affairs.

**HB 2730** (By White), Relating to weight limits on a vehicle loaded with certain agricultural products.

To Transportation.

**HB 2731** (By Truitt), Relating to contributions to, benefits from, and administration of certain public retirement systems; providing penalties.

To Pensions, Investments, and Financial Services.

**HB 2732** (By Oliveira), Relating to the application requirements for a local project permit.

To County Affairs.

**HB 2733** (By Madden), Relating to the euthanasia of animals.

To Agriculture and Livestock.

**HB 2734** (By Madden), Relating to certain mandatory conditions of parole or mandatory supervision for illegal criminal aliens and the revocation of parole or mandatory supervision as a result of violating those conditions.

To Corrections.

**HB 2735** (By Madden), Relating to procedures for certain persons charged with certain new offenses or an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or to mandatory supervision.

To Corrections.

**HB 2736** (By Gonzalez), Relating to the designation of certain code compliance division employees as peace officers.

To Border and Intergovernmental Affairs.

**HB 2737** (By Gonzalez), Relating to criminal history record information checks of employees of residential dwelling projects, including employees of public housing authorities.

To Homeland Security and Public Safety.

**HB 2738** (By Gonzalez), Relating to criminal history background checks performed in relation to the occupancy or use of a public housing unit.

To Homeland Security and Public Safety.

**HB 2739** (By Gonzalez), Relating to the county ethics commission for certain counties.

To Border and Intergovernmental Affairs.

**HB 2740** (By Quintanilla), Relating to the amount of temporary income benefits to which an injured employee is entitled under the workers' compensation system.

To State Affairs.

**HB 2741** (By Kleinschmidt), Relating to rules requiring license name in advertising of a structural pest control business.

To Licensing and Administrative Procedures.

**HB 2742** (By Kleinschmidt), Relating to the business of structural pest control.

To Licensing and Administrative Procedures.



**HB 2743** (By Kleinschmidt), Relating to membership in the structural pest control advisory committee.

To Licensing and Administrative Procedures.

**HB 2744** (By Lucio), Relating to guardianships, including the functions of the Guardianship Certification Board.

To Judiciary and Civil Jurisprudence.

**HB 2745** (By Quintanilla), Relating to workers' compensation supplemental income benefits.

To State Affairs.

**HB 2746** (By Martinez Fischer), Relating to liability for the additional tax imposed on land appraised for ad valorem tax purposes as qualified open-space land in the event of a change of use of the land if the land is transferred to a charitable organization for purposes of building housing for sale without profit to a low-income individual or family.

To Ways and Means.

**HB 2747** (By Martinez Fischer), Relating to reporting information regarding public school student dropout rates.

To Public Education.

**HB 2748** (By Martinez Fischer), Relating to grants to student clubs for dropout prevention.

To Public Education.

**HB 2749** (By Martinez Fischer), Relating to providing for legislative information on the Internet in Spanish.

To State Affairs.

**HB 2750** (By Martinez Fischer), Relating to subcontracting opportunities for historically underutilized businesses under certain state purchasing contracts.

To State Affairs.

**HB 2751** (By Martinez Fischer), Relating to ex parte court hearings that affect the right of a person to possession of or access to a child.

To Judiciary and Civil Jurisprudence.

**HB 2752** (By Martinez Fischer), Relating to the removal of a political party's county chair.

To Elections.

**HB 2753** (By Martinez Fischer), Relating to eligibility for certain political party offices.

To Elections.

**HB 2754** (By Martinez Fischer), Relating to the electronic submission of testimony regarding a bill or resolution before a committee or subcommittee of the legislature.

To House Administration.

**HB 2755** (By Martinez Fischer), Relating to unemployment compensation eligibility and chargebacks regarding certain persons who are victims or whose immediate family members are victims of sexual assault or family violence.

To Economic and Small Business Development.

**HB 2756** (By Lavender), Relating to the authority of a person who is licensed to carry a handgun to openly carry the handgun.

To Homeland Security and Public Safety.

**HB 2757** (By Peña), Relating to the establishment of the Texas Commission on Immigration and Migration and a migrant worker visa pilot project.

To State Affairs.

**HB 2758** (By Peña), Relating to mandatory emergency alert systems at institutions of higher education.

To Higher Education.

**HB 2759** (By Hartnett), Relating to the nonsubstantive revision of provisions of the Texas Probate Code relating to durable powers of attorney, guardianships, and other related proceedings and alternatives, and the redesignation of certain other provisions of the Texas Probate Code, including conforming amendments and repeals.

To Judiciary and Civil Jurisprudence.

**HB 2760** (By Garza), Relating to species-protection programs for the Edwards Aquifer, the Guadalupe River Basin, the San Antonio River Basin, and the San Antonio Bay and estuary system; imposing a tax.

To Natural Resources.

**HB 2761** (By Garza), Relating to the operation of property owners' associations.

To Business and Industry.

**HB 2762** (By Farrar), Relating to continuity of retail electric service during the pendency of an appeal of an order revoking the license of a retail electric provider.

To State Affairs.

**HB 2763** (By Farrar), Relating to an exemption for the denial of driver's license renewal for violations of local ordinances concerning solid waste and heavy trash.

To Environmental Regulation.

**HB 2764** (By Farrar), Relating to the offense of intentional unauthorized harvesting of timber, providing a criminal penalty.

To Natural Resources.

**HB 2765** (By Gallego), Relating to the update of discounted telecommunication services provided to educational institutions, libraries, hospitals, and health centers.

To State Affairs.

**HB 2766** (By Strama), Relating to the use of energy storage equipment or facilities.

To State Affairs.

**HB 2767** (By Strama), Relating to the parking of construction equipment and certain motor vehicles; creating an offense.

To Transportation.

**HB 2768** (By Otto), Relating to the authority of the Alabama-Coushatta Indian Tribe to commission peace officers.

To Homeland Security and Public Safety.

**HB 2769** (By Frullo), Relating to the authority of the Texas Facilities Commission regarding gifts, grants, and donations.

To State Affairs.

**HB 2770** (By W. Smith), Relating to the powers and duties of navigation districts, port authorities, and certain municipalities.

To Transportation.

**HB 2771** (By W. Smith), Relating to the purchasing powers and duties of a navigation district or port authority.

To Transportation.

**HB 2772** (By Bohac), Relating to the Spring Branch Area Community Improvement District.

To Urban Affairs.

**HB 2773** (By Bohac), Relating to the salary paid to certain professional employees of public schools.

To Public Education.

**HB 2774** (By Bohac), Relating to the limitation on increases in the appraised value of a residence homestead for ad valorem taxation by certain taxing units in Harris County.

To Ways and Means.

**HB 2775** (By Bohac), Relating to the constitutional limit on the rate of growth of appropriations and the use of surplus state revenues.

To Appropriations.

**HB 2776** (By Bohac), Relating to the retention of the \$1 million total revenue exemption for the franchise tax.

To Ways and Means.

**HB 2777** (By Bohac), Relating to the registration and compulsory inspection of certain street rods and custom vehicles.

To Transportation.

**HB 2778** (By Bohac), Relating to the criteria necessary to require a hearing to review an application for a rate change by certain water and sewer utilities.

To Natural Resources.

**HB 2779** (By Bohac), Relating to unenforceable restrictive covenants affecting residential homes.

To Business and Industry.

**HB 2780** (By Bohac), Relating to the punishment prescribed for burglary of a vehicle and to grants of community supervision to persons who commit that offense.

To Criminal Jurisprudence.

**HB 2781** (By Bohac), Relating to licensing requirements for a residential fire alarm technician.

To Insurance.

**HB 2782** (By Callegari), Relating to exemptions from the sales tax for certain firearms, hunting equipment, ammunition, and firearm or hunting accessories for a limited period.

To Ways and Means.

**HB 2783** (By Sheffield), Relating to the period of time between issuance of license plates.

To Transportation.

**HB 2784** (By Alonzo), Relating to the refund policy for courses at career schools and colleges.

To Economic and Small Business Development.

**HB 2785** (By J. Davis), Relating to the creation of the Select Committee on Economic Development.

To Economic and Small Business Development.

**HB 2786** (By Landtroop), Relating to prohibiting certain funds from supporting abortions or abortion-related services.

To State Affairs.

**HB 2787** (By Landtroop), Relating to emergency services for licensed abortion facilities.

To Public Health.

**HB 2788** (By Laubenberg), Relating to the donation of blood by persons who are at least 16 years of age.

To Public Health.

**HB 2789** (By Truitt), Relating to the Teacher Retirement System of Texas.

To Pensions, Investments, and Financial Services.

**HB 2790** (By Hunter), Relating to the operation of a golf cart or utility vehicle on a public highway in certain counties.

To Transportation.

**HB 2791** (By Hunter), Relating to the date by which a pest management zone may request an extension of the cotton stalk destruction deadline.

To Agriculture and Livestock.

**HB 2792** (By Hunter), Relating to the power of the Aransas County Navigation District to determine the amount of a check or bond necessary to purchase land from the district.

To Transportation.

**HB 2793** (By Hunter), Relating to the processing fee charged for a dishonored payment device.

To Business and Industry.

**HB 2794** (By Hunter), Relating to the creation of the Calhoun County Groundwater Conservation District.

To Natural Resources.

**HB 2795** (By Larson), Relating to prohibiting certain weapons on the premises of a local juvenile probation department office; providing a penalty.

To Judiciary and Civil Jurisprudence.

**HB 2796** (By Bonnen), Relating to repeal of the coordinated health program for public primary and secondary schools.

To Public Education.

**HB 2797** (By Bonnen), Relating to elimination of the requirement that school districts and public junior college districts conduct periodic safety and security audits of district facilities.

To Public Education.

**HB 2798** (By Bonnen), Relating to discounted utility rates for school districts and open-enrollment charter schools; providing an administrative penalty.

To State Affairs.

**HB 2799** (By Bohac), Relating to certain property owners' exemption from modification of existing deed restrictions.

To Business and Industry.

**HB 2800** (By Bohac), Relating to the liability of a midwife in the practice of midwifery.

To Public Health.

**HB 2801** (By Pickett), Relating to comprehensive development agreements of the Texas Department of Transportation that include the financing, design, and construction of a project.

To Transportation.

**HB 2802** (By Pickett), Relating to the use of the Texas Mobility Fund.

To Transportation.

**HB 2803** (By Raymond), Relating to county and municipal land development regulation.

To Land and Resource Management.

**HB 2804** (By Cain), Relating to the format of the general appropriations bill.

To Appropriations.

**HB 2805** (By Phillips), Relating to the requirement of citizenship or lawful presence in the United States for issuance of a driver's license, personal identification certificate, commercial driver's license, or commercial driver learner's permit.

To Homeland Security and Public Safety.

**HB 2806** (By Phillips), Relating to the marketing, hosting, and sale of specialty and personalized license plates.

To Transportation.

**HB 2807** (By Burnam), Relating to creating an offense for the unlawful possession or transfer of a semiautomatic assault weapon.

To Criminal Jurisprudence.

**HB 2808** (By Burnam), Relating to the issuance of disabled parking placards to elderly persons.

To Transportation.

**HB 2809** (By Phillips), Relating to the construction contract change order authority for the Greater Texoma Utility Authority.

To Natural Resources.

**HB 2810** (By S. Miller), Relating to the exemption from limited sales, excise and use taxation of tangible personal property incorporated into or attached to certain specific purpose agricultural structures.

To Ways and Means.

**HB 2811** (By Coleman), Relating to local regulation regarding the sale of certain abusable drugs.

To Public Health.

**HB 2812** (By Coleman), Relating to access to certain cemeteries; providing penalties.

To Public Health.

**HB 2813** (By Christian), Relating to requiring the comptroller to provide notice to a person who will be regarded as a retailer or seller for purposes of sales and use tax.

To Ways and Means.

**HB 2814** (By Hochberg), Relating to electronic voter registration.

To Elections.

**HB 2815** (By L. Taylor), Relating to the exemption from ad valorem taxation of energy storage systems or technologies used wholly or partly as a facility, device, or method for the control of air pollution.

To Ways and Means.

**HB 2816** (By L. Taylor), Relating to eliminating certain mandates on school districts.

To Public Education.

**HB 2817** (By L. Taylor), Relating to certain election practices and procedures.

To Elections.

**HB 2819** (By S. King), Relating to the operation and efficiency of the eligibility determination process for supplemental nutrition assistance program benefits.

To Human Services.

**HCR 89** (By W. Smith), Urging Congress to enact federal legislation to modernize the Toxic Substances Control Act of 1976.

To Environmental Regulation.

**HCR 90** (By S. Miller), Urging Congress to expedite the implementation of the Integrated Public Alert and Warning System program.

To Homeland Security and Public Safety.

**HJR 6** (By Burnam), Proposing a constitutional amendment to reserve to the people the powers of initiative for the sole purpose of adopting and imposing a state income tax.

To Ways and Means.

**HJR 7** (By Bohac), Proposing a constitutional amendment authorizing the legislature to permit certain political subdivisions in Harris County to establish a limit on the maximum appraised value of residence homesteads for ad valorem taxation by those political subdivisions of 105 percent of the appraised value of the property for the preceding tax year.

To Ways and Means.

**HJR 8** (By Raymond), Proposing a constitutional amendment relating to the disposition of proceeds from the development or sale of the rights to natural resources or minerals in land held by Webb County for the county permanent school fund.

To Natural Resources.

Pursuant to Rule 1, Section 4 of the House Rules, the chair corrects the referral of the following bills and resolutions:

**HB 2167** (By Murphy), Relating to the definition of a postsecondary program in regard to non-baccalaureate career schools and colleges.

To Economic and Small Business Development.

**HB 2483** (By Peña), Relating to certain do-not-resuscitate orders and advance directives; providing penalties.

To Human Services.

**HB 2560** (By Sheffield), Relating to transporting a foster child in a vehicle where a handgun is in the possession of a person licensed to carry a concealed handgun.

To Homeland Security and Public Safety.

**HB 2605** (By L. Taylor), Relating to the continuation and functions of the division of workers' compensation of the Texas Department of Insurance.

To State Affairs.

**SIGNED BY THE SPEAKER**

The following bills and resolutions were today signed in the presence of the house by the speaker:

**House List No. 10**

**HCR 40, HCR 56, HCR 58, HCR 59, HCR 76**

**Senate List No. 10**

**SCR 24**

**MESSAGES FROM THE SENATE**

The following messages from the senate were today received by the house:

**Message No. 1**

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Wednesday, March 16, 2011

The Honorable Speaker of the House  
House Chamber  
Austin, Texas

Mr. Speaker:

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

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

**HCR 10** Branch SPONSOR: Carona  
Honoring Southern Methodist University on the 100th anniversary of its founding and 10 decades of educational excellence.

**HCR 28** Branch SPONSOR: Eltife  
In memory of Don Meredith, former SMU and Dallas Cowboys quarterback and longtime sportscaster.

**SB 115** Uresti  
Relating to limiting the liability of space flight entities.

**SB 141** Eltife  
Relating to debt management services and the regulation of debt management services providers.

**SB 321** Hegar  
Relating to an employee's transportation and storage of certain firearms or ammunition while on certain property owned or controlled by the employee's employer.



**SB 408**

Estes

Relating to inspection of and the operation of watercraft on the John Graves Scenic Riverway.

Respectfully,

Patsy Spaw

Secretary of the Senate

---

**APPENDIX**

---

**STANDING COMMITTEE REPORTS**

Favorable reports have been filed by committees as follows:

**March 15**

Defense and Veterans' Affairs - **HB 74, HB 205**

Judiciary and Civil Jurisprudence - **HB 119, HB 229, HB 245, HB 322, HB 462, HB 720**

State Affairs - **HB 51, HB 183, HB 671, HB 726, HJR 65**

Voter Identification and Voter Fraud, Select - **SB 14**

Ways and Means - **HB 328**





