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 241).

Present — Mr. Speaker; Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Cain; Carrker; Cary; Cavazos; Ceverha; Clark; Clemens; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; DeLuc; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hellin; Hernandez; Highower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wolens; Word; Wright.

Absent, Excused — Gilley.

Absent — Wilson.

The invocation was offered by Reverend Daniel Bagby, pastor, Seventh and James Baptist Church, Waco, Texas, as follows:

Dear Lord and Father of us all—

Thank you for the gift of another spring day. Thank you for the beautiful gift of freedom for self-government.

Lord, you know it is an awesome gift to help these here assembled. Nurture them, that their lives may be fulfilled as they serve. Sustain them, that in the difficult task of choosing, they may do so with wisdom and perspective. Assist them, that in responsibility and care, they may legislate justice with mercy, order with service, and guidance with discernment.

In the name of the Lord of us all, Grace, Peace, and Mercy. Amen.

LEAVE OF ABSENCE GRANTED

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

Gilley on motion of Polumbo.
MESSAGE FROM THE SENATE

Austin, Texas, April 28, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

SCR 97 by Kothmann, in memory of Joe Munoz.
SB 367 by Sharp, relating to local government compensation for required removal of outdoor advertising.
SB 586 by Williams, relating to increasing the membership of the Parks and Wildlife Commission.
SB 1014 by Montford, relating to the courses and course levels offered at the University of Texas of the Permian Basin with emphasis in certain fields.
SB 1128 by Vale, relating to the time requirement for payment by certain cities of salary deductions and matching amounts into the Firemen and Policemen’s Pension Fund.

Respectfully,
Betty King
Secretary of the Senate

RULES SUSPENDED

Representative Presnal moved to suspend all necessary rules to allow the Committee on Appropriations to meet while the house is in session.

The motion prevailed without objection.

HR 304 - ADOPTED

Representative G. Hill moved that all necessary rules be suspended to take up and consider at this time, HR 304.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By G. Hill:

HR 304, In memory of David Scott Keller.

The resolution was read and was unanimously adopted by a rising vote.

On motion of Representative Laney, the names of all the members of the house were added to HR 304 as signers thereof.

HR 288 - ADOPTED

Representative Hury moved that all necessary rules be suspended to take up and consider at this time, HR 288.

The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Hury:
HR 288, Commending Chen Li Zhong.
The resolution was adopted without objection.

HR 289 - ADOPTED

Representative Hury moved that all necessary rules be suspended to take up and consider at this time, HR 289.

The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Hury:
HR 289, Commending Wu Li Jitu.
The resolution was adopted without objection.

HR 293 - ADOPTED

Representative Hury moved that all necessary rules be suspended to take up and consider at this time, HR 293.

The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Hury:
HR 293, Commending Johnny Fong.
The resolution was adopted without objection.

HR 294 - ADOPTED

Representative Hury moved that all necessary rules be suspended to take up and consider at this time, HR 294.

The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Hury:
HR 294, Commending Peter Fong.
The resolution was adopted without objection.

HB 2284 - RULES SUSPENDED

Representative Schluter moved to suspend the 5-day posting rule to allow the Committee on Ways and Means, Subcommittee on Property Tax, to consider HB 2284.

The motion prevailed without objection.

SJR 12 ON SECOND READING
(Haley - House Sponsor)

The speaker laid before the house, in lieu of HJR 43, on its second reading and passage to third reading.

SJR 12, A joint resolution proposing a constitutional amendment to authorize use of the permanent school fund to guarantee school bonds.
A record vote was requested.

The resolution was read second time and was adopted by (Record 242): 123 Yeas, 13 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bonner; Buchanan; Burnett; Bush; Carriker; Cary; Cavazos; Cervia; Clark; Clemmons; Colbert; Connelly; Coody; Criss; Crockett; Danburg; Davis; Delco; Denton; Eckels; Edwards; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, W.; Hammond; Harrison, W.; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Horn; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khoury; Kubiak; Kuempel; Laney; Lee, D.; Lee, E. F.; Luna; McWilliams; Madla; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Peveto; Pierce; Polk; Polumbo; Price; Ragland; Rangel; Robinson; Robnett; Russell; Salinas; Saunders; Schoolcraft; Short; Simpson; Smith, A.; Smith, T.; Staniswalis; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Valles; Vowell; Waldrop; Watson; Whaley; Wieting; Wolens; Word; Wright.

Nays — Agnich; Craddick; DeLay; Eikenburg; Hanna; Harrison, D.; Hollowell; Leonard; McKenna; Pennington; Shea; Smith, C.; Uher.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Gilley.

Absent — Cain; Collazo; Hall, L.; Hall, T.; Patterson; Presnal; Rudd; Schluter; Shaw; Wallace; Willis; Wilson.

**HJR 43 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Haley moved that HJR 43 be laid on the table subject to call.

The motion prevailed without objection.

**SB 384 ON SECOND READING**

(Haley - House Sponsor)

The speaker laid before the house, in lieu of HB 715, on its second reading and passage to third reading.

SB 384, A bill to be entitled An Act relating to the guarantee of certain school district bonds; prescribing certain powers and duties of the State Board of Education, the commissioner of education, and the state auditor; providing for enforcement proceedings; making the effective date of the Act dependent on passage of a certain constitutional amendment; adding Subchapter E to Chapter 20, Texas Education Code.

The bill was read second time and was passed to third reading. (Craddick and Hanna recorded voting no)

**SB 326 ON SECOND READING**

(Heflin - House Sponsor)

The speaker laid before the house, in lieu of HB 734, on its second reading and passage to third reading.

SB 326, A bill to be entitled An Act relating to false information given and certain guardianships created that affect a student's eligibility for enrollment in a
school or school district; providing penalties and liability; amending Section 21.031, Texas Education Code, by adding Subsections (g) and (h) and amending Section 114, Texas Probate Code.

The bill was read second time and was passed to third reading.

**HB 734 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Heflin moved that HB 734 be laid on the table subject to call.

The motion prevailed without objection.

**HB 715 - LAID ON THE TABLE SUBJECT TO CALL**

Representative Haley moved that HB 715 be laid on the table subject to call.

The motion prevailed without objection.

**SJR 17 ON SECOND READING**

(Wright - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading,

**SJR 17**, A joint resolution proposing a constitutional amendment to permit a city or town to expend public funds and levy assessments for the relocation or replacement of sanitation sewer laterals on private property.

The resolution was read second time.

Representative Pennington offered the following committee amendment to the resolution:

**COMMITTEE AMENDMENT NO. 1**

Amend SJR 17 as follows:
On page 1, line 23, strike “November 6, 1984” and substitute “November 8, 1983”.

Committee Amendment No. 1 was adopted without objection.

A record vote was requested.

The resolution, as amended, was adopted by (Record 243): 134 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Buchanan; Burnett; Bush; Carriker; Cary; Cavazos; Ceverha; Clark; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Fox; Garber; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Green; Grisham; Hackney; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Hudson, D.; Hudson, S.; Hury; Jackson; Jones; Keller; Kemp; Khourey; Kubik; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McKenna; McWilliams; Madla; Mankins; Martinez, R.; Messer; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Peavler; Pierce; Polk; Polombo; Presnell; Price; Ragsdale; Rangeil; Robinson; Robnett; Russell; Salinas; Saunders; Schluter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, C.; Smith, T.; Stiles; Sutton; Tejeda; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uher; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wolens; Word; Wright.
Nay — Martinez, W.
Present, not voting — Mr. Speaker (C).
Absent, Excused — Cain; Gilley.
Absent — Bomer; Clemens; Edwards; Haley; Hernandez; Horn; Millsap; Pennington; Rudd; Smith, A.; Staniswals; Wilson.

SB 33 ON THIRD READING
(E. Barton - House Sponsor)
The speaker laid before the house on its third reading and final passage,

SB 33, A bill to be entitled An Act relating to rights, powers, duties, and functions of the Texas Rehabilitation Commission; providing for a right of subrogation for the cost of services provided; amending the Human Resources Code by amending Sections 111.002, 111.052, and 111.053; by adding Section 111.059; and by repealing Subchapter D, Chapter 111.
The bill was read third time and was passed.

LEAVE OF ABSENCE GRANTED
The following member was granted leave of absence for the remainder of today because of illness in the family:
Cain on motion of Oliveira.

SB 339 ON THIRD READING
(Berlanga - House Sponsor)
The speaker laid before the house on its third reading and final passage,

SB 339, A bill to be entitled An Act relating to the powers of navigation districts; amending Section 60.101, Water Code.
The bill was read third time and was passed.

SB 339 - VOTE RECONSIDERED
Representative Berlanga moved to reconsider the vote by which SB 339 was passed.
The motion to reconsider prevailed.

SB 339 ON THIRD READING
(Berlanga - House Sponsor)
The speaker laid before the house on its final passage, SB 339.
A record vote was requested.
The bill was passed by (Record 244): 137 Yeas, 1 Nay, 4 Present, not voting.
Yeas — Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Carriker; Cary; Cavazos; Coverha; Clark; Clemens; Colber; Collazo; Connelly; Coudy; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; Emmett; English; Evans, C.; Evans, L.; Finnell; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hefflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Hollowell; Horn; Hudson, D.; Hudson, S.; Hur; Jackson; Keller;
The speaker laid before the house on its third reading and final passage, SB 454, A bill to be entitled An Act relating to the powers and duties of the Fort Bend County Drainage District.

The bill was read third time and passed.

On motion of Representative DeLay and by unanimous consent, the caption of SB 454 was ordered amended to conform to the body of the bill.

SB 565 ON THIRD READING
(Polk - House Sponsor)

The speaker laid before the house on its third reading and final passage, SB 565, A bill to be entitled An Act relating to the certification of court reporters, deputy court reporters, and persons who engage in the practice of shorthand reporting in courts of this state, to the creation, membership, and powers and duties of the Court Reporters Certification Board, and to the powers and duties of the supreme court relating to the certifications of court reporters; amending Sections 1, 4, 5, 11, 13, 16, Subsections (b) and (d), Section 12, and adding Sections SA and 16A, Chapter 438, Acts of the 65th Legislature, Regular Session, 1977 (Article 2324b, Vernon's Texas Civil Statutes).

The bill was read third time.

Representative Ceverha offered the following amendment to the bill:

On page 3, add a new subsection at the end of Section 4, as follows:

“(d) A member or employee of the board may not be an officer, employee, or paid consultant of a trade association in the court reporting industry. A member or employee of the board may not be related within the second degree by affinity or consanguinity to a person who is an officer, employee, or paid consultant of a trade association in the court reporting industry.”

The amendment was adopted without objection.

SB 565, as amended, was passed.

On motion of Representative Polk and by unanimous consent, the caption of SB 565 was ordered amended to conform to the body of the bill.

(Wilson now present)
SB 288 ON THIRD READING
(Presnal - House Sponsor)

The speaker laid before the house on its third reading and final passage,

SB 288, A bill to be entitled An Act relating to an increase and/or change in the computation of fees, imposed or authorized, charges, assessments, deposits, and penalties charged and collected in connection with the powers and duties of certain state agencies, including the following: Texas Board of Private Investigators and Private Security Agencies; Railroad Commission of Texas; Texas Board of Architectural Examiners; State Board of Trustees, Teacher Retirement System of Texas; Texas Cosmetology Commission; Board of Tax Assessor Examiners; Commission on Fire Protection Personnel Standards and Education; Texas Department of Water Resources; State Department of Highways and Public Transportation; Texas Department of Labor and Standards; Texas Department of Health; Texas Department of Human Resources; Texas Structural Pest Control Board; Texas Motor Vehicle Commission; Department of Public Safety; State Board of Barber Examiners; General Land Office; School Land Board; Veterans Land Board; Texas Department of Mental Health and Mental Retardation; eliminating certain fees.

The bill was read third time and was passed. (Denton recorded voting no)

On motion of Representative Presnal and by unanimous consent, the caption of SB 288 was ordered amended to conform to the body of the bill.

SB 427 ON THIRD READING
(Bomer - House Sponsor)

The speaker laid before the house on its third reading and final passage,

SB 427, A bill to be entitled An Act relating to the continuation, operations, membership, grounds of removal of members, and powers and duties of the Texas State Library and Archives Commission, to the establishment and membership of the Records Management and Preservation Advisory Committee, to the establishment and funding of regional library systems, and to the abolishment of the Records Preservation Advisory Committee; amending Title 89, Revised Statutes, as amended, by amending Articles 5434, 5434a, and 5435 and adding Articles 5435a and 5435b; amending Section 4, Preservation of Essential Records Act, as amended (Article 5441d, Vernon’s Texas Civil Statutes); amending Sections 2, 7, 8, and 9; Subsection (b), Section 14; Subsection (e), Section 17; adding Section 10A and changing the names of Chapters C and D, Library Systems Act, as amended (Article 5446a, Vernon’s Texas Civil Statutes).

The bill was read third time and was passed. (A. Smith and Fox recorded voting no)

On motion of Representative Bomer and by unanimous consent, the caption of SB 427 was ordered amended to conform to the body of the bill.

SB 368 ON THIRD READING
(Polk - House Sponsor)

The speaker laid before the house on its third reading and final passage,

SB 368, A bill to be entitled An Act relating to the continuation, administration, membership, and grounds for removal of members of the Council for Social Work Certification, to certain certification qualifications, and to powers and duties of the Texas Department of Human Resources; amending the Human
Resources Code by amending Sections 50.004, 50.009, 50.015, 50.016, 50.019, 50.021, 50.023, and 50.032; by adding Subsections (d) and (e) to Section 50.006; and Sections 50.034 and 50.0061 to Chapter 50; and Subsection (c) to Section 50.014; and by repealing Subsection (b) of Section 50.017 and Subsection (b) of Section 50.022.

The bill was read third time and was passed. (A. Smith, Geistweit, Fox, and Ceverha recorded voting no)

On motion of Representative Polk and by unanimous consent, the caption of SB 368 was ordered amended to conform to the body of the bill.

SB 261 ON SECOND READING
(Davis - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading,

SB 261, A bill to be entitled An Act relating to the perfection of a security interest in a motor vehicle; amending Section 41, Certificate of Title Act, as amended (Article 6687-1, Vernon's Texas Civil Statutes).

The bill was read second time.

Representative Patronella offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend S.B. 261 by deleting the words “or leasing” in Section 1, line 11 and line 18.

Committee Amendment No. 1 was adopted without objection.

Representative Davis offered the following amendment to the bill:

Amend S.B. 261 on page 1 by striking line 16 and substituting the following: “(b) A security interest [or other lien] in a motor vehicle”.

The amendment was adopted without objection.

SB 261, as amended, was passed to third reading. (C. Smith recorded voting no)

SB 636 ON SECOND READING
(Messer - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading, the complete committee substitute for SB 636.

CSSB 636

A BILL TO BE ENTITLED AN ACT
relating to the regulation of real estate brokers and salesmen, to certain duties of the Texas Real Estate Commission, and to the appointment, membership, and powers and duties of a Texas Real Estate Broker Lawyer Committee; amending Section 16 and Subsection (d), Section 1, The Real Estate License Act, as amended (Article 6573a, Vernon's Texas Civil Statutes).

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

SECTION 1. Subsection (d), Section 1, The Real Estate License Act, as amended (Article 6573a, Vernon's Texas Civil Statutes), is amended to read as follows:
“(d) No real estate salesman shall accept compensation for real estate sales and transactions from any person other than the broker under whom he is at the time licensed or under whom he was licensed when he earned the right to compensation.”

SECTION 2. Section 16, The Real Estate License Act, as amended (Article 6573a, Vernon's Texas Civil Statutes), is amended to read as follows:

“Section 16. (a) A license granted under the provisions of this Act shall be suspended or revoked by the commission on proof that the licensee, not being licensed and authorized to practice law in this state, for a consideration, reward, pecuniary benefit, present or anticipated, direct or indirect, or in connection with or as a part of his employment, agency, or fiduciary relationship as a licensee, drew a deed, note, deed of trust, will, or other written instrument that may transfer or in anywise affect the title to or an interest in land, except as provided in the subsections below, or advised or counseled a person as to the validity or legal sufficiency of an instrument or as to the validity of title to real estate.

“(b) Notwithstanding the provisions of this Act or any other law, the completion of contract forms which bind the sale, exchange, option, lease, or rental of any interest in real property by a real estate broker or salesman incident to the performance of the acts of a broker as defined by this article does not constitute the unauthorized or illegal practice of law in this state, provided the forms have been promulgated for use by the Texas Real Estate Commission for the particular kind of transaction involved, or the forms have been prepared by an attorney at law licensed by this state and approved by said attorney for the particular kind of transaction involved, or the forms have been prepared by or required by the property owner.

“(c) A Texas Real Estate Broker-Lawyer Committee is hereby created which, in addition to other powers and duties delegated to it, shall draft and revise contract forms capable of standardization for use by real estate licensees and which will expedite real estate transactions and reduce controversies to a minimum while containing safeguards adequate to protect the interests of the principals to the transaction.

“(d) The Texas Real Estate Broker-Lawyer Committee shall have 12 members including six members appointed by the Texas Real Estate Commission and six members of the State Bar of Texas appointed by the President of the State Bar of Texas. The members of the committee shall hold office for staggered terms of six years with the terms of two commission appointees and two State Bar appointees expiring every two years. Each member shall hold office until his successor is appointed. A vacancy for any cause shall be filled for the expired term by the agency making the original appointment. Appointments to the committee shall be made without regard to race, creed, sex, religion, or national origin.

“(e) In the best interest of the public the commission may adopt rules and regulations requiring real estate brokers and salesmen to use contract forms which have been prepared by the Texas Real Estate Broker-Lawyer Committee and promulgated by the Texas Real Estate Commission; provided, however, that the Texas Real Estate Commission shall not prohibit a real estate broker or salesman from using a contract form or forms binding the sale, exchange, option, lease, or rental of any interest in real property which have been prepared by or required by the property owner. For the purpose of this section, contract forms prepared by the Texas Real Estate Broker-Lawyer Committee appointed by the commission and the State Bar of Texas and promulgated by the commission prior to the effective date of this Act shall be deemed to have been prepared by the Texas Real Estate Broker-Lawyer Committee. The commission may suspend or revoke a license issued under the provisions of this article when it has determined that the licensee...
failed to use a contract form as required by the commission pursuant to this section.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

CSSB 636 was read second time.

Representative Toomey offered the following amendment to CSSB 636:

Amend CSSB 636 in the following manner:
(1) by striking line 17 and 18, page 2 and substitute in lieu thereof the following: "transaction involved, or the forms have been prepared by the property owner or prepared by an attorney and required by the property owner."
(2) by striking line 18, page 3, and substitute in lieu thereof the following: "which have been prepared by the property owner or prepared by an attorney and required by the property owner. For"

The amendment was adopted without objection.

CSSB 636, as amended, was passed to third reading.

SB 320 ON SECOND READING
(Colbert - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading.

SB 320, A bill to be entitled An Act relating to penalties and interest on delinquent county hotel occupancy taxes and to reporting and remittance requirements by hotel owners or operators; amending Chapter 168, Acts of the 67th Legislature, Regular Session, 1981 (Article 2352i, Vernon's Texas Civil Statutes), by adding Section 2A and amending Article I, Chapter 796, Acts of the 67th Legislature, Regular Session, 1981 (Article 2372d-8, Vernon's Texas Civil Statutes), by adding Section 4A.

The bill was read second time and was passed to third reading.

SB 222 ON SECOND READING
(Saunders - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading.

SB 222, A bill to be entitled An Act relating to temporary registration permits for certain motor vehicles not registered in this state; amending Section 2, Chapter 707, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 6675a-6d, Vernon's Texas Civil Statutes).

The bill was read second time.

Representative Luna offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend SB 222, page 1, line 13 by striking the following: Fifteen Dollars ($15) and substitute the following: Twenty-five Dollars ($25)

And amend SB 222, page 1, line 15 by striking the following: Thirty Dollars ($30) and substitute the following: Fifty Dollars ($50)

Committee Amendment No. 1 was adopted without objection.
Representative Mankins offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 2**

Amend SB 222 by striking all of Section 2 and Section 3 (page 2) and substitute the following:

SECTION 2. This Act applies only to permits issued on or after the effective date of this Act. A permit issued before the effective date of this Act is subject to the requirements of Section 2, Chapter 707, Acts of the 59th Legislature, Regular Session, 1965, as amended (Article 6675a-6d, Vernon's Texas Civil Statutes), in effect at the time of issuance, and the former law is continued in effect for that purpose.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Amendment No. 2 was adopted without objection.

SB 222, as amended, was passed to third reading.

**SB 433 ON SECOND READING**

(Saunders - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading.

SB 433, A bill to be entitled An Act relating to property tax appraisal for a taxing unit that is located in more than one county; amending Section 6.02, Tax Code, as amended.

The bill was read second time.

Representative Peveto offered the following committee amendment to the bill:

**COMMITTEE AMENDMENT NO. 1**

Amend SB 433 by striking Subsection (c), Section 6.02, beginning on page 1, line 20, and substituting the following:

(c) A taxing unit that has chosen to participate in a single appraisal district under Section (b) of this section may revoke that choice and, if permitted to do so by Subsection (b), choose to participate in a single appraisal district other than the one previously chosen. A taxing unit that has withdrawn from an appraisal district under this subsection and chosen to participate in another single appraisal district may not under this subsection withdraw from that district.

Committee Amendment No. 1 was adopted without objection.

SB 443, as amended, was passed to third reading.

**SB 354 ON SECOND READING**

(Hilbert - House Sponsor)

The speaker laid before the house on its second reading and passage to third reading, the complete committee substitute for SB 354.
A BILL TO BE ENTITLED

AN ACT

prohibiting a person with a firearm going on premises of certain places; providing a penalty; amending Section 46.04, Penal Code.

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

SECTION 1. Section 46.04, Penal Code, is amended to read as follows:

“Section 46.04. PLACES WEAPONS PROHIBITED. (a) A person commits an offense if, with a firearm, or explosive weapon, or illegal knife, he intentionally, knowingly, or recklessly goes:

“(1) on the premises of a school or an educational institution whether public or private, unless pursuant to written regulations or written authorization of the institution; or

“(2) on the premises of a polling place on the day of an election; or while absentee balloting is in progress; or

“(3) in any government court or offices utilized by the court, unless pursuant to written regulations or written authorization of the court.

“(b) It is a defense to prosecution that the actor possessed a firearm under (a)(1), (a)(2), or (a)(3) while was in the actual discharge of his official duties as a peace officer or a member of the armed forces or national guard; or a guard employed by a penal institution, or an officer of the Court.

“(c) An offense under this section is a third degree felony.

SECTION 2. If any provision, section, or clause of this Act or application thereof to any person or circumstances is held invalid, such invalidity shall not affect the provisions or applications hereof which can be given effect without the invalid provision, section, or clause, and to this end the provisions of this Act are declared to be severable.

SECTION 3. The importance of this legislation and the crowded condition of the calendars of both houses create an emergency and an imperative necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

CSSB 354 was read second time and was passed to third reading. (A. Smith recorded voting no)

HB 1488 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

HB 1488, A bill to be entitled An Act relating to the regulation of the formation and operation of risk retention groups; providing penalties.

A record vote was requested.

The bill was read third time and was passed by (Record 245): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Agnich; Armbrister; Arnold; Barrientos; Barton, B.; Barton, E.; Berlanga; Blanton; Bomer; Buchanan; Burnett; Bush; Carriker; Cary; Cavazos; Ceverha; Clark; Clemons; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; Delay; Delco; Denton; Eckels; Edwards; Emmett; English; Evans, C.; Evans, L.; Fennell; Fox; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Hefflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.;
HB 1068 ON THIRD READING

The speaker laid before the house on its third reading and final passage.

HB 1068, A bill to be entitled An Act relating to continuing legal education for the judges and personnel of the municipal courts.

The bill was read third time and was passed.

HB 827 ON THIRD READING

The speaker laid before the house on its third reading and final passage.

HB 827, A bill to be entitled An Act relating to the disposition of interest earned on the separate fund accounts in the state treasury of public institutions of higher education.

The bill was read third time and was passed.

HB 1677 ON THIRD READING

The speaker laid before the house on its third reading and final passage.

HB 1677, A bill to be entitled An Act relating to the protection of parental rights and to the standard of proof in suits affecting the parent-child relationship in which termination of the parent-child relationship is sought.

The bill was read third time and was passed. (Blanton and Ceverha recorded voting no)

HB 544 ON THIRD READING

The speaker laid before the house on its third reading and final passage.

HB 544, A bill to be entitled An Act relating to liability for interference with child custody and to court orders providing for possession of or access to a child.

The bill was read third time and was passed.

HB 1213 ON THIRD READING

The speaker laid before the house on its third reading and final passage.

HB 1213, A bill to be entitled An Act relating to political contributions involving certain judicial offices.

The bill was read third time and was passed. (Ceverha and Barrientos recorded voting no)
HB 1056 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

**HB 1056**. A bill to be entitled An Act relating to specific enforcement of agreements to arbitrate future disputes.

The bill was read third time and was passed.

HB 1409 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

**HB 1409**. A bill to be entitled An Act relating to the authority of certain cities to impose a hotel occupancy tax; providing for authorized uses of revenues derived from the tax imposed; amending Chapter 63, Acts of the 59th Legislature, Regular Session, 1965 (Article 1269-4, Vernon's Texas Civil Statutes); and declaring an emergency.

A record vote was requested.

The bill was read third time and was passed by (Record 246): 138 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Armbrister; Arnold; Barrionту; Barton, B.; Barton, E.; Berlanga; Blanton; Buchanan; Burnett; Bush; Cary; Cavazos; Ceverha; Clark; Clemens; Colbert; Collazo; Connelly; Coody; Craddick; Criss; Crockett; Danburg; Davis; DeLay; Delco; Denton; Eckels; Edwards; Eikenburg; Emmett; English: Evans, C.; Evans, L.: Finnell; Fox; Gamez; Gandy; Garcia, A.; Garcia, M.; Gavin; Geistweidt; Gibson, B.; Gibson, J.; Glossbrenner; Granoff; Green; Grisham; Hackney; Haley; Hall, L.; Hall, T.; Hall, W.; Hammond; Hanna; Harrison, D.; Harrison, W.; Heflin; Hernandez; Hightower; Hilbert; Hill, A.; Hill, G.; Hill, P.; Hinojosa; Horn; Hudson, D.; Hudson, S.; Hurty; Jackson; Jones; Keller; Kemp; Khoury; Kuempel; Laney; Lee, D.; Lee, E. F.; Leonard; Luna; McWilliams; Mankins; Martinez, R.; Martinez, W.; Messer; Millsap; Moreno, A.; Moreno, P.; Oliveira; Oliver; Parker; Patrick; Patronella; Patterson; Pennington; Peveto; Pierce; Polk; Polumbo; Presnal; Price; Ragsdale; Rangel; Robinson; Robnett; Rudd; Russell; Salinas; Saunders; Schlueter; Schoolcraft; Shaw; Shea; Short; Simpson; Smith, A.; Smith, C.; Smith, T.; Staniswalis; Stiles; Sutton; Thompson, G.; Thompson, S.; Toomey; Tow; Turner; Uber; Valles; Vowell; Waldrop; Wallace; Watson; Whaley; Wieting; Willis; Wilson; Wolens; Word.

Nays — Agnich; Bomer; Carriker; Hollowell; Kubiak; McKenna.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Cain; Gilley.

Absent — Madia; Tejeda; Wright.

HB 470 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

**HB 470**. A bill to be entitled An Act relating to registration of antique motor vehicles.

The bill was read third time and was passed.
HB 720 - VOTE RECONSIDERED

Representative B. Gibson moved to reconsider the vote by which HB 720 passed to engrossment yesterday.

The motion to reconsider prevailed.

HB 720 - POSTPONED

Representative B. Gibson moved that consideration of HB 720 be postponed until Monday, May 2, at 3 p.m.

The motion prevailed without objection.

HB 736 ON THIRD READING

The speaker laid before the house on its third reading and final passage, HB 736, A bill to be entitled An Act relating to evidence of, exemptions from, and disposition of fees collected as a result of compulsory liability insurance for certain vehicles.

The bill was read third time and was passed.

HB 423 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 423.

CSHB 423

A BILL TO BE ENTITLED
AN ACT

relating to recovery of collection expenses for furnishing labor and materials, and to recovery of attorneys’ fees and other expenses of defending invalid claims for furnishing labor and materials.

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

SECTION 1. [If a debt for furnishing of labor or material for the improvement of real property in this State shall be not paid within thirty days after perfection of a lien against such real property or filing of a claim upon any applicable payment bond, the claimant or owner of such debt shall be entitled to recover all reasonable costs of collection including attorney’s fees as against each surety on any such bond or as against the real property and its owner or owners.]

Chapter 382, Acts of the 57th Legislature, Regular Session, 1961 (Article 5453, Vernon’s Texas Civil Statutes), is amended by adding Paragraph 4 and Paragraph 5 to read as follows:

4. If the lien provided for in this Article is not paid within 180 days from its being fixed and secured in the manner provided for in this Article, the claimant or owner of such lien shall be entitled to recover all reasonable costs of collection including attorneys’ fees.

5. If the claim for such lien shall not be valid or enforceable, due to failure to fix and secure said lien in a manner provided for in this Article, or for any other reason, then the owner, original contractor, subcontractor or any surety under any bond shall be entitled to recover from the claimant all reasonable costs of defending against such lien claim, including attorneys’ fees.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.]
CSHB 423 was read second time.

Representative G. Hill offered the following amendment to CSHB 423:

Amend CSHB 423 by striking all below the enacting clause and substituting the following:

SECTION 1. Article 5453, Revised Statutes, is amended by adding Paragraphs 4 and 5 to read as follows:

4. If the lien provided for in this Article is not paid within 180 days from its being fixed and secured in the manner provided for in this Article, the claimant or owner of such lien shall be entitled to recover all reasonable costs of collection including attorney’s fees.

5. If the claim for such lien shall not be valid or enforceable, due to failure to fix and secure said lien in a manner provided for in this Article, or for any other reason, then the owner, original contractor, subcontractor or any surety under any bond shall be entitled to recover from the claimant all reasonable costs of defending against such lien claim, including attorney’s fees.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

The amendment was adopted without objection.

CSHB 423, as amended, was passed to engrossment.

HB 998 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment, the complete committee substitute for HB 998.

CSHB 998

A BILL TO BE ENTITLED
AN ACT
relating to the challenge at the polling place of a person’s qualifications to vote.

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

SECTION 1. Section 91, Texas Election Code (Article 8.09, Vernon’s Texas Election Code), is amended to read as follows:

91. VOTE CHALLENGED. When a person offering to vote at any general, special, or primary election shall be objected to by an election judge or clerk, a poll watcher, or any other person, the presiding judge shall examine him upon oath touching the points of such objection, and if such person establishes his right to vote to the satisfaction of the presiding judge, he shall be permitted to vote, and the word “sworn” shall be written upon the poll list or on the prescribed combination form opposite the name of the voter. If upon his own oath the person fails to establish his right to vote to the satisfaction of the presiding judge, his vote shall not be accepted unless in addition to his own oath he submits proof by the oath of one registered voter [well-known resident] of the precinct that he is a qualified voter at such election and in such precinct. When such proof is submitted, his vote shall be accepted, and the word “challenged” and the name and address of the person testifying under oath as to the voter’s qualifications shall be written on the poll list or on the prescribed combination form opposite the name of the voter.

SECTION 2. Section 323, Texas Election Code (Article 15.23, Vernon’s Texas Election Code), is amended to read as follows:

323. REFUSING TO PERMIT VOTER TO VOTE. Any judge of any election who refuses to receive the vote of any voter who, when his vote is objected
to, shows by his own oath and the oath of a registered voter [well-known resident] of the precinct that he is entitled to vote at such election and in such precinct, or who refuses to deliver an official ballot to one entitled to vote under the law, or who refuses to permit a voter to deposit his ballot after one entitled to vote has legally folded and returned same, shall be fined not to exceed five hundred dollars.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

CSHB 998 was read second time and was passed to engrossment. (Fox recorded voting no)

HB 1084 ON SECOND READING

The speaker laid before the house on its second reading and passage to third reading, the complete committee substitute for HB 1084.

CSHB 1084

A BILL TO BE ENTITLED
AN ACT
relating to local government cooperation to enforce through administration of motor vehicle registration a warrant issued for the arrest of a person who has failed to appear or pay a fine on a complaint for which punishment is by fine only.

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

SECTION 1. Chapter 88, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6675a-1 et seq., Vernon's Texas Civil Statutes), is amended by adding Section 2a.

Sec. 2a. (a) A city and a county may contract under The Interlocal Cooperation Act (Article 4413(3)(c), Vernon's Texas Civil Statutes) to provide for a method of providing the county tax collector in that county with information regarding the owners of vehicles registered in that county for whom warrants of arrest are outstanding for failure to appear or pay fines on complaints for which punishment is by fine only.

(b) Except as provided by Subsection (c) of this section, a county tax collector in a county that has contracted with a city under Subsection (a) of this section shall refuse to register a vehicle that is owned by a person for whom a warrant of arrest issued by that county or city is outstanding for failure to appear or pay a fine on a complaint for which punishment is by fine only.

(c) A county tax collector may not refuse under this section to register a vehicle that is owned by an individual, or a partnership, corporation, or other business entity in the business of leasing vehicles for compensation and that is used in that business as a rental vehicle.

(d) A county tax collector who refuses under Subsection (b) of this section to register a vehicle shall issue a temporary registration certificate to the owner of the vehicle. The county tax collector may charge a fee not to exceed $5 for a temporary registration certificate. A temporary registration certificate is valid for a period of five days and may not be renewed.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

CSHB 1084 was read second time and was passed to engrossment.
HB 844 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment,

HB 844, a bill to be entitled An Act relating to membership in and payment of premiums for insurance coverage under the Texas employees uniform group insurance program.

The bill was read second time.

Representative Gavin offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend HB 844 by:
1. Between the enacting clause and the existing Section 1, add a new Section 1 to read as follows:

SECTION 1. Amend Section 3(a), Texas Employees Uniform Group Insurance Benefits Act (Article 3.50-2, Vernon's Texas Insurance Code), by amending subdivisions (16) and (17) to read as follows:

(16) "Basic plan for active full-time employees" shall mean the program of group insurance determined by the trustee in which every full-time employee participates automatically unless participation is specifically waived, the premium for which is paid wholly by the state or the employing department.

(17) "Basic plan for retired employee-annuitants" shall mean the program of group insurance determined by the trustee in which every retired employee-annuitant participates automatically unless participation is specifically waived, the premium for which is paid wholly by the state.

2. Renumber all existing sections appropriately.

Committee Amendment No. 1 was adopted without objection.

HB 844, as amended, was passed to engrossment.

(Wilson in the chair)

HB 1999 ON SECOND READING

The chair laid before the house on its second reading and passage to engrossment,

HB 1999, a bill to be entitled An Act relating to the compensation and powers of members of the State Board of Medical Examiners, to registration of practitioners and interns, to qualifications of licensees, to grounds for refusal to admit persons to examination and to issue licenses, to fees, hearings, and stays of board decisions, to cancellation, revocation, suspension, and probation of licenses, and to peace officers commissioned by the Texas State Board of Medical Examiners; defining who are peace officers; amending Sections 2.06, 3.04, 3.08, 4.01, 4.04, 4.08, and 4.10; Subsection (i), Section 3.01; Subsection (b), Section 3.10; Subsection (a), Section 4.05; and Subsection (a), Section 4.11 (Article 4495b, Vernon's Texas Civil Statutes); and amending Article 2.12, Code of Criminal Procedure, 1965.

The bill was read second time.

Representative Wright offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 1

Amend HB 1999, page 16, line 4, by substituting a new Section 12, as follows:

SECTION 12. Section 4.04, Medical Practice Act (Article 4495b, Vernon's Texas Civil Statutes), is amended to read as follows:
"Section 4.04. All investigations shall be conducted by the board or persons authorized by the board to conduct them. The board may commission investigators as peace officers for the purpose of enforcing this Act. However, investigators of the board so commissioned as peace officers may not carry a firearm or exercise arrest powers."

Representative Wolens offered the following amendment to Committee Amendment No. 1:

Amend committee amendment No. 1 by correcting the line references by striking "16" and inserting in lieu thereof "15" and striking "4" and inserting "18".

The amendment was adopted without objection.

Committee Amendment No. 1, as amended, was adopted without objection.

Representative Wright offered the following committee amendment to the bill:

COMMITTEE AMENDMENT NO. 2

Amend HB 1999, page 2, line 6, by substituting a new Section 7, as follows:

SECTION 7. Subsection (a), Section 4.05, Medical Practice Act (Article 4495b, Vernon’s Texas Civil Statutes), is amended to read as follows:

“(a) All hearings conducted under this subchapter by the board shall comply with the provisions of the Administrative Procedure Act and the board’s rules. The board may delegate the authority to conduct hearings under this subchapter to a hearing committee comprised of not less than three members appointed by the board. The composition of such committee shall be consistent with the provisions of Sections 2.08 and 2.09 of this Act. Any individual or individuals conducting the hearing under this subchapter are empowered to administer oaths and receive evidence at the hearing and shall report the hearing as prescribed by board rules.”

Representative Wolens offered the following amendment to Committee Amendment No. 2:

Amend committee amendment no. 2 to HB 1999 by correcting the page and line reference in the following manner:

Strik e “2” and insert “1” and strike “6” and insert “24”.

The amendment was adopted without objection.

Committee Amendment No. 2, as amended, was adopted without objection.

Representative Wolens offered the following amendment to the bill:

Amend HB 1999 on page 5, line 7, by adding “during reasonable business hours” between the words “practice” and “for”.

The amendment was adopted without objection.

Representative Ceverha offered the following amendment to the bill:

Amend HB 1999 by Wright by restoring the sentence beginning with “Preparing for a board meeting” on line one, page two, and ending with the words “business of the board” on lines two and three.

Representative Wright moved to table the Ceverha amendment.

The motion to table prevailed.

HB 1999, as amended, was passed to engrossment. (Clark recorded voting no)
April 28, 1983

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HB 1048 ON SECOND READING

The chair laid before the house on its second reading and passage to engrossment.

HB 1048, A bill to be entitled An Act relating to the punishment of habitual offenders.

The bill was read second time.

Representative Hury offered the following amendment to the bill:

Amend Section 1, line 12, of HB 1048, by striking the period and inserting a semicolon in lieu thereof and adding the following language:

"provided, however, a defendant sentenced under this subsection shall serve a minimum one-third of the punishment imposed, without consideration of good conduct time, before becoming eligible for release on parole."

Representative T. Smith moved to table the Hury amendment.

The motion to table prevailed.

HB 1048 was passed to engrossment. (Fox, Wolens, Schlue, C. Smith, Hilbert, McKenna, Coody, A. Smith, Heflin, G. Thompson, Bomer, Staniswalis, Toomey, Patrick, Cebera, Schoolcraft, and Connelly recorded voting no)

MESSAGE FROM THE SENATE

Austin, Texas, April 28, 1983

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

SCR 99 by Vale, congratulating the City of San Antonio on its designation as an All-America City.

I am directed by the Senate to inform the House that the Senate has passed the following:

Local and Uncontested Calendar

SB 200 by Santiesteban, relating to the sale of alcoholic beverages at certain airports and professional sports stadia.
SB 226 by Leedom, relating to information given to and consent required of parents or guardians of students recommended for attendance at or attending a school-community guidance center.
SB 303 by Glasgow, relating to suspensions of driver's licenses based on findings of habitual violation of traffic laws.
SB 306 by Kothmann, relating to accessibility of polling places to the elderly and physically handicapped.
SB 471 by Mauzy, amending the hospital authority act to provide an alternate method of selecting members of the board of directors of a hospital authority created under said act.
SB 563 by Washington, relating to the authority of courts in certain counties to participate in the supervision and administration of probation offices.
SB 682 by Montford, relating to the microfilm preservation of records made received by local governments.
SB 732 by Henderson, relating to election of directors of municipal utility districts.

SB 733 by Henderson, relating to payment for construction work by municipal utility district.

SB 738 by Sharp, relating to the application requirement for property tax exemptions for disabled veterans and the survivors of certain veterans.

SB 765 by Leedom, relating to regulation of motor vehicle equipment by the Department of Public Safety.

SB 809 by Washington, relating to admission of certain students to the Texas School for the Deaf.

SB 818 by Brooks, relating to allowing certain facilities to operate under different standards and the requirements of the certificate of need program.

SB 926 by Doggett, relating to recovery of costs and attorney's fees in defense of a frivolous claim raised by a state agency.

SB 974 by Jones, relating to the calculation of the effective tax rate for a taxing unit.

SB 975 by Jones, relating to the exemption of implements of husbandry from ad valorem taxation.

SB 977 by Jones, relating to property tax appraisal studies conducted by the State Property Tax Board.

SB 978 by Jones, relating to the time at which the board of directors of an appraisal district receives the proposed budget for the district.

SB 980 by Jones, relating to the date by which rendition statements and property reports must be delivered to the chief appraiser.

SB 981 by Jones, relating to judicial review of determinations concerning the situs of personal property for ad valorem taxation.

SB 1020 by Truan, relating to clarifying the plan of operation of the Texas Catastrophe Property Insurance Association.

SB 1033 by Sharp, relating to the authority of a county commissioners court to regulate the keeping of certain wild animals.

SB 1036 by Sharp, relating to the authority of the Guadalupe-Blanco River Authority to regulate certain activities.

SB 1053 by Kothmann, relating to utility rate relief programs of municipalities.

SB 1097 by Uribe, relating to limited guardianship for legally incapacitated persons.

SB 1143 by Brown, relating to the inclusion of land previously appraised as agricultural or open-space land as part of a residence homestead for property tax purposes.

SB 1166 by Glasgow, relating to Tarleton State University.

SB 1222 by Blake, relating to the regulation of the sale of eggs.

SB 1273 by Montford, relating to the creation of municipal courts of record in the city of Odessa.

SB 1274 by Jones, relating to public school finance and the calculation of the effective tax rate of a school district.

SB 1292 by Farabee, relating to the creation, administration, powers, duties, operation, and financing of the Foard County Hospital district.

SB 1325 by Williams, repealing a prohibition on the use on certain arrows in archery hunting.

SCR 65 by Doggett, granting William E. Anderson permission to sue the state.

SCR 66 by Brooks, relating to adopting the definition of autism and other pervasive developmental disorders as stated in the third edition of the diagnostic and statistical manual.
SCR 67 by Brooks, relating to developing rules ensuring the coordination of identification, diagnosis, referral, evaluation, training, and education within a continuum of services to person with autism or other pervasive developmental disorders.

SCR 68 by Brooks, requiring individual educational plans for students with autism or other pervasive development disorders.

SCR 69 by Brooks, relating to developing a written plan and interagency agreement addressing vocational training program standards, vocational program evaluation guidelines, and a continuum of vocational services for person having autism.

SCR 70 by Brooks, relating to developing state licensing standards for residential facilities serving adult persons having autism or other pervasive developmental disorders.

SCR 71 by Brooks, directing the Central Education Agency and the Texas Department of MHMR to develop jointly training program standards and curriculum guidelines for families whose relative have autism or other pervasive developmental disorders.

SCR 72 by Brooks, relating to including persons with autism or other pervasive developmental disorders in existing respite care services.

Respectfully,
Betty King
Secretary of the Senate

HB 1369 ON SECOND READING

The chair laid before the house on its second reading and passage to engrossment,

HB 1369, A bill to be entitled An Act relating to eligibility for the board of trustees of the Texas Municipal Retirement System.

The bill was read second time.

Representative C. Smith offered the following amendment to the bill:

Amend HB 1369 as follows:

1) On page 1, line 9, insert “when appointed” between “head” and the period.

(Speaker in the chair)

The amendment was adopted without objection.

HB 1369, as amended, was passed to engrossment. (Russell recorded voting no)

HB 2006 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment,

HB 2006, A bill to be entitled An Act relating to replacing the limitation on the value of an urban homestead with a limitation based on size.

The bill was read second time.

Representative C. Evans offered the following amendment to the bill:

Amend HB 2006 by inserting a new SECTION 2, on page 2, to read as follows:

“SECTION 2. Article 3833, Revised Statutes, is amended by adding a new Subsection (c) to read as follows:
The exemptions provided to homesteads under this Article apply to all homesteads in this state regardless of the dates they were created.

The amendment was adopted without objection.

HB 2006, as amended, was passed to engrossment.

HB 1836 ON SECOND READING

The speaker laid before the house on its second reading and passage to engrossment,

HB 1836, A bill to be entitled An Act relating to the rate of the city hotel occupancy tax.

The bill was read second time.

Representative Jackson offered the following amendment to the bill:

Amend HB 1836 as follows:
On page 1, between lines 21 and 22, insert a new Subsection (c), to read as follows:
(c) The tax authorized in Subsection (a) of this Section shall not exceed four percent of the consideration paid by the occupant of the sleeping room of the hotel in any city having at least one-half of its population residing in a county which contains a city having a population of at least 900,000, according to the most recent federal census, that has adopted a council-manager form of government, except as otherwise provided by law.

The amendment was adopted without objection.

HB 1836, as amended, was passed to engrossment. (A. Smith, Fox, Geistweidt, Toomey, C. Smith, Pennington, Valles, Staniswalis, and Collazo recorded voting no)

BILLS AND A RESOLUTION SIGNED BY THE SPEAKER

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled bills and a resolution:

SCR 94, SB 343, SB 617

HR 308 - ADOPTED

Representative M. Garcia moved that all necessary rules be suspended to take up and consider at this time, HR 308.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By M. Garcia:

HR 308, Congratulating the Intercultural Development Research Association.

The resolution was adopted without objection.

HR 309 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HR 309.

The motion prevailed without objection.

The speaker laid before the house the following resolution:
By Price:

HR 309, Wishing Betty Zane Lindeman a happy birthday.

The resolution was read and was adopted without objection.

On motion of Representative Delco, the names of all the members of the house were added to HR 309 as signers thereof.

HCR 199 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 199.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Price:

HCR 199, Congratulating Meadows School of the Arts.

The resolution was adopted without objection.

On motion of Representative McWilliams, the names of all the members of the house were added to HCR 199 as signers thereof.

HCR 200 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 200.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Price:

HCR 200, Congratulating Levelland High School.

The resolution was adopted without objection.

On motion of Representative McWilliams, the names of all the members of the house were added to HCR 200 as signers thereof.

HCR 201 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 201.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Price:

HCR 201, Congratulating Dr. Lawrence Weiner.

The resolution was adopted without objection.

On motion of Representative McWilliams, the names of all the members of the house were added to HCR 201 as signers thereof.

HCR 202 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 202.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Price:
The resolution was adopted without objection.
On motion of Representative McWilliams, the names of all the members of the house were added to HCR 202 as signers thereof.

HCR 203 - ADOPTED
Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 203.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Price:
HCR 203, Congratulating Karl Kilian.
The resolution was adopted without objection.
On motion of Representative McWilliams, the names of all the members of the house were added to HCR 203 as signers thereof.

HCR 204 - ADOPTED
Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 204.
The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Price:
HCR 204, Congratulating the Spring Branch Independent School District.
The resolution was adopted without objection.
On motion of Representative McWilliams, the names of all the members of the house were added to HCR 204 as signers thereof.

HCR 205 - ADOPTED
Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 205.
The motion prevailed.
The speaker laid before the house the following resolution:
By Price:
HCR 205, Congratulating the Dallas Times Herald.
The resolution was adopted without objection.
On motion of Representative McWilliams, the names of all the members of the house were added to HCR 205 as signers thereof.
HCR 206 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 206.

The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Price:
HCR 206, Congratulating Dr. John Biggers.
The resolution was adopted without objection.
On motion of Representative McWilliams, the names of all the members of the house were added to HCR 206 as signers thereof.

HCR 207 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 207.

The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Price:
HCR 207, Congratulating Donna Swartz.
The resolution was adopted without objection.
On motion of Representative McWilliams, the names of all the members of the house were added to HCR 207 as signers thereof.

HCR 208 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 208.

The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Price:
HCR 208, Congratulating Arthur Andersen & Co.
The resolution was adopted without objection.
On motion of Representative McWilliams, the names of all the members of the house were added to HCR 208 as signers thereof.

HCR 209 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 209.

The motion prevailed without objection.
The speaker laid before the house the following resolution:
By Price:
HCR 209, Congratulating the city of Garland.
The resolution was adopted without objection.
On motion of Representative McWilliams, the names of all the members of the house were added to HCR 209 as signers thereof.

HCR 210 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 210.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Price:

HCR 210, Congratulating the Corpus Christi Caller Times and Danny Goddard.

The resolution was adopted without objection.

On motion of Representative McWilliams, the names of all the members of the house were added to HCR 210 as signers thereof.

HCR 211 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 211.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Price:

HCR 211, Congratulating the Lufkin Rotary Club.

The resolution was adopted without objection.

On motion of Representative McWilliams, the names of all the members of the house were added to HCR 211 as signers thereof.

HCR 212 - ADOPTED

Representative Price moved that all necessary rules be suspended to take up and consider at this time, HCR 212.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Price:

HCR 212, Congratulating Austin Community Television, Inc.

The resolution was adopted without objection.

On motion of Representative McWilliams, the names of all the members of the house were added to HCR 212 as signers thereof.

HR 296 - ADOPTED

Representative C. Evans moved that all necessary rules be suspended to take up and consider at this time, HR 296.

The motion prevailed without objection.

The speaker laid before the house the following resolution:
By C. Evans:

**HR 296, Commending Mrs. Patsy Alenik.**

The resolution was adopted without objection.

**SENATE BILL ON FIRST READING**

The following senate bill was today laid before the house, read first time and referred to committee:

**SB 367** to Committee on State Affairs.

**HB 813 - MOTION TO SUSPEND RULES**

Representative Khoury moved to suspend the 5-day posting rule to allow the Committee on Ways and Means, Subcommittee on Property Tax, to consider **HB 813**.

The motion was lost.

**HB 58 - RULES SUSPENDED**

Representative Bush moved to suspend the 48-hour subcommittee report rule to allow the Committee on Judiciary to consider **HB 58**.

The motion prevailed without objection.

**SB 257 - RULES SUSPENDED**

Representative G. Thompson moved to suspend the 48-hour subcommittee report rule to allow the Committee on County Affairs to consider **SB 257**.

The motion prevailed without objection.

**HB 2275 - RULES SUSPENDED**

Representative Haley moved to suspend the 5-day posting rule to allow the Committee on Public Education to consider **HB 2275**.

The motion prevailed without objection.

**HB 1015 - RULES SUSPENDED**

Representative Pierce moved to suspend the 5-day posting rule to allow the Committee on Urban Affairs to consider **HB 1015**.

The motion prevailed without objection.

**HR 307 - ADOPTED**

Representative Finnell moved that all necessary rules be suspended to take up and consider at this time, **HR 307**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Finnell:

**HR 307, Congratulating the Doans May Picnic Association.**

The resolution was adopted without objection.

**SB 543 - RULES SUSPENDED**

Representative Delco moved to suspend all necessary rules to allow the Committee on Higher Education to consider **SB 543**.
The motion prevailed without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Natural Resources, Subcommittee on HB 1881, on recess today, Desk 30, to consider HB 1881.

Law Enforcement, Subcommittee on HB 956, on recess today, Desk 55, to consider HB 956.

Law Enforcement, Subcommittee on SB 389, on recess today, Desk 46, to consider SB 389.

Labor and Employment Relations, Subcommittee on HB 1908, on recess today, Desk 139, to consider HB 1908.

Insurance, Subcommittee on Property and Casualty Insurance, on recess today, Desk 18, to consider HB 1575.

Insurance, Subcommittee on Life and Health Insurance, five minutes after recess today, Desk 132, to consider HB 1792.

Insurance, Subcommittee on Title Insurance, will reconvene at 2 p.m., Room 100B, Reagan Building, to consider SB 352.

Higher Education, Subcommittee on HB 947, on recess today, Desk 40, to consider HB 947.

Environmental Affairs, Subcommittee on Marine Fisheries, on recess today, Desk 115, to consider HB 792, HB 1321, HB 1425, and HB 1579.

Elections, Subcommittee on HB 1562, on recess today, Desk 144, to consider HB 1562.

Business and Commerce, Subcommittee on SB 559, on recess today, Desk 90, to consider SB 559.

Judiciary, 1:30 p.m. today, Room C, Reagan Building, to consider HB 58 or CSHB 58.

Business and Commerce, Subcommittee on SB 661, on recess today, Desk 90, to consider SB 661.

Elections, on recess today, Desk 115, to consider SB 122 and HB 574.

Business and Commerce, Subcommittee on Workers Compensation, on recess today, Desk 90, to consider SB 1006.

Transportation, Subcommittee on HB 1601, HB 1602, and HB 1461, on recess today, speakers committee room, to consider HB 1601, HB 1602, and HB 1461.

Transportation, Subcommittee on HB 1241, on recess today, speakers committee room, to consider HB 1241.

Transportation, Subcommittee on SB 284, on recess today, speakers committee room.

Appropriations, 10:20 a.m. today, speakers committee room, to consider CSHB 409.

Business and Commerce, Subcommittee on HB 1456, on recess today, Desk 15, to consider HB 1456.
Business and Commerce, Subcommittee on SB 436, on recess today, Desk 15, to consider SB 436.

Urban Affairs, Subcommittee on HB 1623, 1:50 p.m. today, Room 410, Reagan Building, to consider HB 1623.

State Affairs, Subcommittee on HB 1623, 1:50 p.m. today, Room 410, Reagan Building, to consider HB 1623.

State Affairs, Subcommittee on HB 795, on recess today, Desk 36, to consider HB 795.

State Affairs, Subcommittee on Ethics, 1 p.m. today, Room 151-C, to consider CSHB 2154.

RECESS

Representative Buchanan moved that the house recess until 9 a.m. tomorrow.

The motion prevailed without objection.

The house accordingly, at 12:16 p.m., recessed until 9 a.m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees on bills and resolutions, as follows:

Appropriations - HB 409

Business and Commerce - HB 1650, HB 1852, HB 1969, HB 1986, HB 2106, HB 2107, HCR 154, SB 420

County Affairs - HB 288, HB 1157, HB 1460, HB 2104, HB 2318, HB 2319

Elections - HB 210, HB 660, HB 1006, HB 1039, HB 1141, HB 1745, HJR 17, SB 510

Energy - HB 1956

Natural Resources - HB 1769, HB 2305, HB 2343, HB 2346, HB 2347, HB 2359, HB 2368

Public Education - HB 716, HB 788

State Affairs - HB 1091

ENGROSSED

April 27 - HB 470, HB 544, HB 736, HB 827, HB 1056, HB 1068, HB 1213, HB 1409, HB 1488, HB 1677

BILL TRANSMITTED TO GOVERNOR

UNDER ARTICLE XVI, SECTION 59

The following house bill was transmitted by the chief clerk to the governor:

April 27 - HB 2401
The following members were granted permission by the authors to sign bills and a resolution as coauthors:

HB 605 - Pennington
HB 606 - Pennington
HB 632 - Cary
HB 1508 - Kubiak
HB 2396 - Grisham
HR 292 - A. Hill