### **SENATE FLOOR ACTION**

### Thursday May 14, 2009

#### The Senate suspended the necessary rules to consider and finally pass:

#### SB 1028 (CS) (LC) Watson/ et al.

Relating to the offense of operating or riding in a passenger vehicle while not secured by a safety belt.

#### SB 1193 (CS) Wentworth

Relating to the maintenance and service of certain medical devices in health care facilities; providing a criminal penalty.

#### **2 Floor Amendments**

#### SB 1210 Fraser

Relating to a water rights permit issued to the Upper Guadalupe River Authority.

#### SB 1720 (CS) (LC) Uresti

Relating to newborn screening and the creation of the Newborn Screening Advisory Committee.

#### 1 Floor Amendment

#### **SB 1824 (CS) Lucio**

Relating to the Interagency Task Force for Children with Special Needs.

#### 1 Floor Amendment

#### **SB 1886 (CS)** Ellis

Relating to diagnostic testing of pregnant women and certain newborns.

### SB 2406 (LC) Zaffirini

Relating to additional compensation for certain state employees.

# SB 2550 (CS) Hinojosa

Relating to the creation of the Padre Island Gateway Municipal Management District; providing authority to impose a tax and issue bonds.

### SB 2552 (CS) (LC) Patrick, Dan

Relating to the powers and duties of Harris County Improvement District No. 1; providing authority to impose a tax and issue bonds.

# SB 2573 (LC) Ogden

Relating to annual reports by certain agencies conducting, funding, or supporting biomedical research.

#### 1 Floor Amendment

# SB 2580 (LC) Lucio

Relating to actions under the Beer Industry Fair Dealing Law.

# HB 392 (CS) Bohac/ Castro/ Leibowitz/ SP: Deuell

Naishtat

Relating to the availability and use of automated external defibrillators in nursing homes and related institutions.

### 1 Floor Amendment

#### HB 406 Rodriguez SP: Carona

Relating to the disposition of excess proceeds of a tax sale of real property or foreclosure of a tax lien on real property.

# HB 1342 (CS) Menendez/ Thompson SP: Harris

Relating to adoption of certain information technology.

# 1 Floor Amendment

HB 1364 (LC) Eissler SP: Averitt

Relating to coverage of preexisting conditions by certain group health benefit coverage programs for active school employees.

HB 1468 (CS) Chisum SP: Deuell

Relating to the regulation of funeral homes, cemeteries, and crematories; providing penalties.

1 Floor Amendment

HB 1918 (LC) Darby/ Chisum/ Swinford/ SP: Estes

Keffer/ Hardcastle/ et al.

Relating to changing the name of the Office of Rural Community Affairs to the Texas Department of Rural Affairs.

HB 1998 (CS) (LC) McCall SP: Gallegos

Relating to temporary housing and emergency shelters provided by a political subdivision for disaster victims

HB 2055 (LC) Guillen SP: Zaffirini

Relating to the Chronic Kidney Disease Task Force.

HB 2219 (LC) Phillips SP: Williams

Relating to the public transportation advisory committee.

HB 2314 (LC) Gattis SP: Ogden

Relating to the designation of the Texas Department of Transportation as the contracting agent for certain airports.

HB 2440 (LC) McCall SP: Williams

Relating to scholarships for fifth-year accounting students.

The Senate laid out as postponed business, suspended all rules and finally passed:

HB 492 Zerwas/ Kolkhorst SP: Deuell/ et al.

Relating to the expansion of faith- and community-based health and human services and social services initiatives.

2 Floor Amendments

The Senate suspended the regular order, read second time and passed to engrossment:

SB 2350 (CS) (LC) Ogden

Relating to the payment and distribution of consumer assistance funds in an action by the attorney general.

The Senate adopted the following resolutions:

SR 811 Watson

Congratulating Ben De Leon for being named the 2009 Big Brothers Big Sisters National Big Brother of the Year.

The Senate concurred in House amendments to the following:

SB 2126 (LC) Estes SP: Miller, Doug

Relating to the authority of owners and managers of apartment houses to assess a service charge for the submetering of water and wastewater services.

The Senate refused to concur in House amendments and requested the appointment of a Conference Committee on the following:

SB 58 (CS) (LC) Zaffirini SP: Vaught

Relating to the administration of the Juvenile Justice Case Management System.

SB 562 (LC) Jackson, Mike SP: Bonnen

Relating to the inclusion on the exterior of an ad valorem tax bill of a statement directing the United States Postal Service to return the bill if it is not deliverable as addressed.

#### SB 2306 (CS) (LC) Williams

Relating to rates and methods of depreciation applied to a retired class of property for regulated water utilities.

SP: Miller, Doug

#### The following bills were passed on the Local and Uncontested Bills Calendar:

#### SB 1744 (LC) Whitmire

Relating to conditions of employment for law enforcement officers and corrections officers employed by certain counties.

#### SB 1782 (CS) (LC) Hinojosa

Relating to the deferral by a licensed distributor or importer of payment of gasoline and diesel fuel taxes and credits authorized for certain of those deferrals.

#### **SB 2136 (CS) (LC) Eltife**

Relating to provision of surplus lines insurance.

# SB 2253 (CS) (LC) Zaffirini

Relating to the authority of certain municipalities and counties to regulate platting requirements near an international border.

# HB 271 (CS) (LC) Ortiz, Jr./ Button/ Brown, Fred/ SP: Van de Putte Strama/ Parker/ et al.

Relating to the designation of enterprise projects during a biennium.

# HB 360 (LC) Kuempel/ Herrero/ et al. SP: Williams

Relating to the crediting and charging of investment gains and losses on the assets held in trust by the Texas Municipal Retirement System and providing a guaranteed minimum credit to employee accounts.

### HB 448 (CS) (LC) Hopson SP: Carona

Relating to requiring the Department of State Health Services to implement a provider choice system for certain vaccines.

### HB 523 (LC) Giddings SP: Fraser

Relating to the contents of a receipt issued for payment of a good or service; providing a civil penalty.

# HB 536 (LC) Anchia/ Pena/ Madden/ Leibowitz SP: Van de Putte

Relating to the voter registration of a person who submits a federal postcard application to vote in an election.

# HB 582 (LC) Dukes SP: Van de Putte

Relating to informing the parents and guardians of certain children about the availability of the child health plan and medical assistance programs.

#### HB 590 (LC) Crownover SP: Zaffirini

Relating to the name of the Crime Stoppers Advisory Council.

#### HB 867 (LC) Aycock SP: Fraser

Relating to the transfer of certain state property from the Texas Department of Criminal Justice to the City of Burnet.

# HB 1240 (LC) Villarreal/ Naishtat/ Coleman SP: Uresti

Relating to information required to be provided to parents of an infant.

# HB 1300 (LC) Turner, Chris SP: Davis, Wendy

Relating to the creation of the Kennedale TownCenter Development District; providing authority to impose a tax and issue bonds.

# HB 1363 (CS) (LC) Gutierrez/ Castro SP: Van de Putte/ et al.

Relating to the diabetes mellitus registry pilot program.

### HB 1411 (LC) Jones SP: Carona

Relating to records of certain frivolous complaints maintained by the Texas Board of Professional Land Surveying.

HB 1492 (LC) Driver/ et al. SP: Hegar

Relating to achievement awards presented by the Commission on Law Enforcement Officer Standards and Education.

HB 1505 (LC) Ortiz, Jr./ Guillen SP: Hinojosa

Relating to the promotion or advertising of alcoholic beverages in relation to certain facilities owned by a municipality or county.

HB 1574 (LC) Thompson/ Pitts/ Geren/ Alonzo/ SP: Gallegos Gonzales/ et al.

Relating to services for persons with autism and other pervasive developmental disorders and their families.

HB 1629 (LC) Naishtat/ Madden SP: Uresti

Relating to the care and protection of foster children committed to or released under supervision by the Texas Youth Commission.

HB 1758 (LC) Thompson/ Button SP: Carona

Relating to the requirements for a plumber's apprentice to obtain a plumber's license.

HB 1804 (LC) Hughes SP: Watson

Relating to service of process for delinquent taxes on a nonresident.

HB 2062 (LC) Gallego SP: Hinojosa

Relating to the distribution of proceeds from the sale of forfeited property in a criminal case.

HB 2249 (LC) Hunter/ Harless SP: Williams

Relating to the regulation of staff leasing services.

HB 2386 (LC) Castro/ et al. SP: Uresti

Relating to the sealing of juvenile records.

HB 3061 (LC) Bohac SP: Huffman

Relating to the use of state voter registration funds to employ temporary staff in a voter registrar's office.

HB 3062 (LC) Bohac SP: Huffman

Relating to the notice of an election provided to a voter registrar.

HB 3519 (LC) Branch/ Howard, Donna/ Button SP: Hinojosa

Relating to the coordination and administration of the Texas Career Opportunity Grant Program.

The following bills were removed from the Local and Uncontested Bills Calendar:

SB 1621 (CS) (LC) Wentworth

Relating to the powers and duties of counties and emergency services districts.

**Committee referral on the following:** 

SCR 73 Averitt

Memorializing the U.S. Congress to maintain the Federal Family Education Loan Program.

**Higher Education** 

SB 2586 Uresti

Relating to the creation of the Lajitas Utility District No. 1 of Brewster County; providing authority to impose taxes and issue bonds; granting a limited power of eminent domain.

**Intergovernmental Relations** 

SB 2587 Estes

Relating to the waiver of sovereign immunity from certain suits by certain municipalities.

**Agriculture & Rural Affairs** 

HB 119 Heflin

Relating to the terms of court for the 110th District Court.

Jurisprudence

#### HB 121 Heflin

Relating to the fee for issuance of specialty license plates to certain wounded peace officers and to the families of certain peace officers killed in the line of duty.

### **Transportation & Homeland Security**

### HB 150 Smith, Todd

Relating to the application of the sales and use tax to the sale of certain food products sold at school events.

**Finance** 

#### HB 229 Pitts/ Parker/ Anchia

Relating to the construction, installation, alteration, extension, servicing, maintenance, or repair of onsite sewage disposal systems.

**Natural Resources** 

# HB 230 Pitts/ Anderson/ Dunnam/ Gattis/

Maldonado/ et al.

Relating to exempting certain schools, nonprofit athletic or sports associations, municipally owned facilities, summer camps, places of worship, and fairgrounds from certain demand charges by transmission and distribution utilities.

#### **Business & Commerce**

#### HB 240 Alonzo

Relating to the appointment of members to the governing body of a political subdivision.

**Intergovernmental Relations** 

#### HB 258 Berman

Relating to the date on which a declaration of write-in candidacy must be filed.

**State Affairs** 

### HB 269 Lucio III/ Marquez/ Rios Ybarra/

Guillen/ et al.

Relating to course credit for certain students at a public institution of higher education.

**Veteran Affairs & Military Installations** 

#### HB 315 Raymond

Relating to the instruction of American Sign Language in public high schools.

Education

#### HB 397 Hartnett

Relating to rules regarding return of service.

Jurisprudence

# HB 544 Raymond/ et al.

Relating to the filing of an application for a place on the general primary election ballot.

**State Affairs** 

#### HB 563 Menendez

Relating to the evaluation of applications for certain financial assistance administered by the Texas Department of Housing and Community Affairs.

**Intergovernmental Relations** 

#### HB 585 Naishtat

Relating to records related to an estate of a decedent or incapacitated person.

Jurisprudence

### HB 587 Naishtat/ Coleman

Relating to the payment of attorney's fees to an attorney representing an applicant for the appointment of a guardian.

### Jurisprudence

# HB 640 Zerwas

Relating to personnel records of a deputy sheriff in certain counties.

# **Criminal Justice**

#### **HB 746**

# Brown, Fred/ Aycock/ Branch/ Giddings/ Rodriguez/ et al.

Relating to expanding the availability of classrooms and other facilities for use by public colleges and universities.

### **Higher Education**

#### HB 781 Farabee

Relating to the Electra Hospital District.

**Intergovernmental Relations** 

### HB 805 Quintanilla/ Fletcher/ Flynn

Relating to the definitions of police vehicle and authorized emergency vehicle for the purposes of certain traffic laws.

**Transportation & Homeland Security** 

# HB 1052 Mallory Caraway

Relating to the creation, powers, and duties of film districts.

**Economic Development** 

### HB 1117 Hochberg

Relating to ballot instructions.

**State Affairs** 

HB 1182 Turner, Sylvester/ Harless/

Thibaut/ Edwards/ Leibowitz/

et al.

Relating to the administration and purposes of the system benefit fund and the eligibility of customers for benefits under certain programs financed by the system benefit fund and other programs.

**Business & Commerce** 

#### HB 1193 Hancock/ et al.

Relating to ballot certification of a political party presidential candidate.

**State Affairs** 

#### HB 1218 Howard, Donna

Relating to a pilot project to exchange secure electronic health information between the Health and Human Services Commission and local or regional health information exchanges.

**Health & Human Services** 

#### HB 1259 Kolkhorst/ Leibowitz/ Legler/

Kleinschmidt

Relating to hiring outside legal counsel to provide legal services to the Teacher Retirement System of Texas.

**State Affairs** 

### HB 1275 Kolkhorst

Relating to the authority to impose a county hotel occupancy tax.

**Intergovernmental Relations** 

# HB 1375 Thompson

Relating to staff development training for certain public school personnel regarding student disciplinary procedures.

**Education** 

#### HB 1448 Allen

Relating to the requirements for voter registration.

**State Affairs** 

# HB 1470 Thibaut

Relating to notification regarding entitlement of school district employees to leave time in circumstances involving assault.

Education

#### HB 1597 Zerwas

Relating to the creation of the Fort Bend County Municipal Utility District No. 202; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

### **Intergovernmental Relations**

#### HB 1600 Zerwas

Relating to the creation of the Fort Bend County Municipal Utility District No. 201; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

### **Intergovernmental Relations**

#### HB 1601 Zerwas

Relating to the creation of the Waller County Municipal Utility District No. 13; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

#### **Intergovernmental Relations**

#### HB 1654 Anchia

Relating to the appointment of high school deputy registrars.

**State Affairs** 

### HB 1779 Smith, Todd

Relating to education and examination requirements for the issuance of a driver's license to certain persons.

#### **Transportation & Homeland Security**

#### HB 1872 Leibowitz/ Castro

Relating to the creation of additional judicial districts in Bexar County.

Jurisprudence

#### HB 2057 Gallego

Relating to an optional county fee on registration of a vehicle in certain counties.

**Transportation & Homeland Security** 

#### HB 2153 Edwards/ Turner, Chris

Relating to certain registration requirements imposed on sex offenders.

**Criminal Justice** 

# HB 2181 Berman

Relating to the computation of a person's age under the Election Code.

State Affairs

# HB 2248 Turner, Sylvester

Relating to an emergency management plan for certain health care facilities.

**Transportation & Homeland Security** 

#### HB 2284 Rodriguez

Relating to the ad valorem taxation of property owned by certain organizations and used to provide affordable housing.

**Finance** 

#### HB 2346 Thibaut

Relating to the removal of illegally parked vehicles from residential parking permit areas in certain municipalities.

**Transportation & Homeland Security** 

# HB 2348 Dutton/ Flynn

Relating to a contract between a water district and a municipality for the provision of fire-fighting services in certain counties.

#### **Intergovernmental Relations**

#### HB 2368 Hartnett

Relating to trusts.

Jurisprudence

#### HB 2425 Morrison

Relating to engineering recruitment programs at public or private institutions of higher education and to certain degree programs at public junior colleges.

**Higher Education** 

#### HB 2524 Anchia/ Bohac/ Leibowitz/ et al.

Relating to the accuracy, security, and reliability of certain electronic voting systems.

**State Affairs** 

#### HB 2585 Hartnett

Relating to digital or electronic signatures and witness signatures on advance directives.

**Health & Human Services** 

#### HB 2654 Oliveira

Relating to imposition of the motor vehicle sales tax on motor vehicles transferred as the result of a gift.

Finance

#### HB 2703 Olivo

Relating to classification of a prekindergarten or kindergarten student who is retained at the request of the student's parent.

**Education** 

#### HB 2732 Eissler/ Strama

Relating to the regulation of barking dogs by certain counties as a nuisance.

**Intergovernmental Relations** 

#### HB 2740 Bolton

Relating to the licensing and regulation of youth camps.

**Health & Human Services** 

#### HB 2767 Anderson/ Guillen

Relating to the issuance of specialty license plates for municipal judges and justices of the peace.

**Transportation & Homeland Security** 

#### HB 2941 Paxton

Relating to the disclosure of certain ad valorem tax appraisal information and other confidential information.

**Finance** 

#### HB 3044 Farias

Relating to the registration of certain vehicles used to provide emergency incident rehabilitation services.

**Transportation & Homeland Security** 

# HB 3075 Deshotel

Relating to the designation of convenience signers on certain accounts established at financial institutions.

Jurisprudence

# HB 3085 Hartnett

Relating to the independent administration of a decedent's estate.

Jurisprudence

#### HB 3173 Allen

Relating to the statewide plan for delivery of services to public school students with disabilities and resources for teachers of public school students with special health needs.

**Education** 

### HB 3215 Farias

Relating to the establishment of a down payment assistance program for certain professional educators by the Texas State Affordable Housing Corporation.

# **Intergovernmental Relations**

#### HB 3220 Hancock

Relating to the applicability of certain laws to open-enrollment charter schools.

**Education** 

#### HB 3221 Hancock

Relating to required notification by an insurer before automatic premium payments may be increased.

**Business & Commerce** 

#### **HB 3224** Madden

Relating to the prosecution and punishment of the offense of arson.

**Criminal Justice** 

#### **HB 3417** Oliveira/ Lucio III

Relating to the jurisdiction of criminal law hearing officers in Cameron County.

**Criminal Justice** 

#### **HB 3425** Hughes

Relating to the use of municipal hotel occupancy taxes.

**Intergovernmental Relations** 

#### **HB 3485** Coleman

Relating to the administration of certain county services and duties, including the administration of county assistance districts.

**Intergovernmental Relations** 

#### **HB 3628** Jones

Relating to the date by which the executive director of the Texas Department of Licensing and Regulation must require compliance with certain elevator safety standards.

**Business & Commerce** 

#### **HB 3646** Hochberg/ Eissler/ Aycock/ Pitts/

Patrick/ et al.

Relating to public school finance.

Education

#### **HB 3653** Marquez/ Olivo/ King, Susan/ Madden/ Ortiz, Jr./ et al.

Relating to the use of restraints to control the movement of pregnant women and female children confined in certain correctional facilities in this state.

**Criminal Justice** 

#### **HB 3666** Kolkhorst

Relating to the application for and issuance of a marriage license.

Jurisprudence

#### HB 3691 **Deshotel**

Relating to shipping coordination services for state agencies.

**State Affairs** 

#### **HB 3708** Oliveira

Relating to the appointment and qualifications of bailiffs for certain courts in Cameron County.

Jurisprudence

#### **Paxton**

Relating to title insurance coverage of property transferred into an inter vivos trust.

Jurisprudence

#### **HB 3896** Oliveira

Relating to the authority of the governing body of a municipality or the commissioners court of a county to enter into an ad valorem tax abatement agreement.

Administration

#### **HB 3907** Madden

Relating to the court-ordered administration of psychoactive medication to certain criminal defendants and to the release of those defendants from certain facilities.

#### **Criminal Justice**

#### HB 3989 Merritt/ Flynn/ Hopson

Relating to the waiver of state park entrance fees for certain persons.

**Natural Resources** 

HB 4067 Gonzales/ Chavez/ Oliveira/

Martinez, "Mando"/ Leibowitz

Relating to the creation of the Bureau for Economic Development of the Border Region.

**International Relations & Trade** 

HB 4128 Bonnen/ et al.

Relating to the eligibility of certain Texas Rangers for burial in the state cemetery.

**Administration** 

**HB 4186 Jones** 

Relating to weight limits on a vehicle loaded with certain agricultural products.

**Transportation & Homeland Security** 

HB 4189 Rose

Relating to the conduct of compliance programs by institutions of higher education.

**Higher Education** 

HB 4193 Herrero

Relating to a joint election for trustees of an independent school board.

**State Affairs** 

HB 4229 Otto/ Thompson

Relating to the award of attorney's fees in a judicial appeal of certain ad valorem tax determinations.

**Finance** 

HB 4230 Otto/ Bohac/ Thompson

Relating to the rescheduling of a hearing before an appraisal review board.

**Finance** 

HB 4295 Anchia/ Hodge/ Miklos/ Kent/

Alonzo

Relating to the right of certain municipalities to maintain local control over wages, hours, and other terms and conditions of employment.

**Intergovernmental Relations** 

HB 4426 Hernandez/ Alonzo

Relating to authorizing a suit to declare that certain young people have been abused, neglected, or abandoned and extending the jurisdiction of certain courts making such a declaration.

Jurisprudence

HB 4433 Rodriguez

Relating to an exemption from the severance tax for certain gas and oil produced.

Finance

HB 4440 Kolkhorst

Relating to a study by the attorney general of the effects on state law and authority of certain international and other agreements and bodies.

**State Affairs** 

HB 4456 Driver

Relating to the definition of a switchblade knife for purposes of the offense of prohibited weapons.

**Criminal Justice** 

HB 4493 Eiland

Relating to contracts awarded through competitive bidding by certain port and harbor facilities.

**Transportation & Homeland Security** 

HB 4533 Chavez

Relating to the conduct of charitable poker runs by certain nonprofit organizations.

**State Affairs** 

#### HB 4542 Raymond

Relating to the exercise of urban renewal powers by certain counties.

**Intergovernmental Relations** 

#### HB 4594 Eiland

Relating to permits for the movement of oversize and overweight vehicles in a certain county.

**Transportation & Homeland Security** 

#### HB 4722 Coher

Relating to the creation of the Harris County Improvement District No. 11; providing authority to impose a tax and issue bonds.

**Intergovernmental Relations** 

#### HB 4745 Heflin

Relating to the Lockney General Hospital District.

**Intergovernmental Relations** 

#### HB 4757 Eissler

Relating to the creation of the Montgomery County Municipal Utility District No. 118; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Intergovernmental Relations** 

#### HB 4773 Eiland

Relating to the creation of Chambers County Improvement District No. 2; providing authority to levy an assessment, impose a tax, and issue bonds; granting a limited power of eminent domain.

**Intergovernmental Relations** 

#### HB 4774 Eiland

Relating to the creation of the Chambers County Improvement District No. 3; granting road powers; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Intergovernmental Relations** 

#### HB 4781 Gallego

Relating to the imposition and rate of the county hotel occupancy tax in certain counties.

**International Relations & Trade** 

#### HB 4784 Fletcher

Relating to the creation of the Harris County Municipal Utility District No. 524; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Intergovernmental Relations** 

# HB 4790 Phillips

Relating to the creation of the Brown's Ranch Municipal Utility District No. 1 of Grayson County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Intergovernmental Relations** 

#### HB 4795 Allen

Relating to territory included in, and the validation of acts of, the Harris County Improvement District No. 10 and the Harris County Improvement District No. 10B; changing the name of the Harris County Improvement District No. 10B.

**Intergovernmental Relations** 

#### HB 4802 Otto

Relating to the creation of the Liberty County Municipal Utility District No. 6; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Intergovernmental Relations** 

#### HB 4810 Miller, Doug

Relating to the creation of the Comal County Water Control and Improvement District No. 5; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Natural Resources** 

#### **HB 4811** Miller, Doug

Relating to the creation of the Comal County Water Control and Improvement District No. 6; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

**Natural Resources** 

#### **HB 4825** Rose

Relating to the creation of the Driftwood Economic Development Municipal Management District; providing authority to impose a tax.

**Intergovernmental Relations** 

#### **HCR 152 Hunter/Herrero/Ortiz, Jr./**

Leibowitz/ et al.

Requesting the lieutenant governor and the speaker of the house of representatives to provide for a joint interim legislative study on the availability of medical treatment for patients with Lyme diseases in Texas.

**Administration** 

#### **HCR 161 Burnam**

Granting John Cook permission to sue the Benbrook Water Authority.

Jurisprudence

- (CS) COMMITTEE SUBSTITUTE
- (LC) RECOMMENDED FOR LOCAL CALENDAR