

SENATE JOURNAL

EIGHTY-FIRST LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

SIXTY-SECOND DAY

(Wednesday, May 20, 2009)

The Senate met at 11:12 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Averitt, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Gallegos, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Ogden, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

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

The Reverend Dr. James W. Van Meter, Jr., Central Christian Church, Austin, offered the invocation as follows:

God of all nations, You have called all people to live lives of righteousness and justice. You have called all people to live lives of peace and wholeness. However, we confess that sometimes we have cared more for lofty places than for places of service. We confess that sometimes we have worked more for power than for purpose. Bless now those who gather in this place. Give to them the gifts of discernment, wisdom, and vision. To those who lead here, grant them patience of cooperation. To those who debate here, grant them clarity of thought. To those who decide here, grant them courage for truth. Keep ever before us the broken places of our life together, places of despair and disappointment. Set our ears to hear the cry of the poor, set our eyes to see the needs of the sick, set our hearts to beat in rhythm with Yours. Blend us with all people of goodwill, both in this place and beyond, in order that this great State of Texas might be a beacon of hope and fulfillment to all. Amen.

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

The motion prevailed without objection.

CO-AUTHOR OF SENATE CONCURRENT RESOLUTION 70

On motion of Senator Huffman, Senator Shapleigh will be shown as Co-author of **SCR 70**.

CO-SPONSOR OF HOUSE BILL 1358

On motion of Senator Nelson, Senator Zaffirini will be shown as Co-sponsor of **HB 1358**.

CO-SPONSOR OF HOUSE BILL 1568

On motion of Senator Zaffirini, Senator Hinojosa will be shown as Co-sponsor of **HB 1568**.

CO-SPONSOR OF HOUSE BILL 1881

On motion of Senator Estes, Senator Hegar will be shown as Co-sponsor of **HB 1881**.

CO-SPONSOR OF HOUSE BILL 3674

On motion of Senator Nelson, Senator Zaffirini will be shown as Co-sponsor of **HB 3674**.

CO-SPONSOR OF HOUSE BILL 4154

On motion of Senator Nelson, Senator Zaffirini will be shown as Co-sponsor of **HB 4154**.

CO-SPONSOR OF HOUSE JOINT RESOLUTION 39

On motion of Senator Ellis, Senator West will be shown as Co-sponsor of **HJR 39**.

CO-SPONSOR OF HOUSE CONCURRENT RESOLUTION 176

On motion of Senator Williams, Senator Zaffirini will be shown as Co-sponsor of **HCR 176**.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

May 20, 2009

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 3521, Relating to the Fox Crossing Water District.

HB 4702, Relating to the creation of the Sienna Ranch Municipal Utility District No. 1 of Collin County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HCR 22, Granting the Chishty family permission to sue the State of Texas, the Department of Aging and Disability Services, and the Denton State School.

HCR 54, Urging the United States Congress to enact legislation facilitating a technology-based solution that allows consumers to subscribe to Internet services that exclude adult content.

HCR 61, Urging congress to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act.

HCR 67, Urging the United States Congress to maintain state regulatory coverage of hydraulic fracturing.

HCR 119, Designating the Panhandle Region of Texas as an official Natural Renewable Resource Area.

HCR 120, Memorializing the United States Congress to make eradication of the fever tick in South Texas a priority and provide appropriate funding and resources.

HCR 139, Directing the State Preservation Board to amend its rules to allow the statue in honor of Tejanos to be placed on the south lawn of the Capitol.

HCR 168, Extending appreciation to former president George W. Bush for his service to our state and nation.

SB 28, Relating to the use of a computer for an unauthorized purpose.
(Committee Substitute/Amended)

SB 39, Relating to health benefit plan coverage for routine patient care costs for enrollees participating in certain clinical trials.
(Amended)

SB 68, Relating to licensing and inspection requirements of the Department of Family and Protective Services for certain facilities and homes providing child care; providing penalties.
(Amended)

SB 78, Relating to promoting awareness and education about the purchase and availability of health coverage.
(Amended)

SB 79, Relating to specialty certification for insurance agents serving certain employer groups.

SB 82, Relating to a fee imposed as a condition of community supervision for an offense involving family violence and to certain nonsubstantive revisions involving court fees.

SB 93, Relating to tuition and fee exemptions for certain military personnel and their dependents.
(Amended)

SB 223, Relating to allowing a person who successfully completes a term of deferred adjudication community supervision to be eligible for a pardon.
(Amended)

SB 328, Relating to the civil and criminal consequences of operating a motor vehicle or a watercraft while intoxicated or under the influence of alcohol.

(Amended)

SB 359, Relating to punishment for certain offenses committed in a disaster area or an evacuated area.

(Amended)

SB 395, Relating to creation of the Early Childhood Health and Nutrition Interagency Council.

(Amended)

SB 572, Relating to transportation safety training requirements for certain child-care providers.

(Amended)

SB 643, Relating to the protection and care of individuals with mental retardation; providing criminal penalties.

(Committee Substitute/Amended)

SB 745, Relating to state travel policies and procedures for the reimbursement or payment of travel expenses.

SB 1003, Relating to the continuation and functions of the Office of State-Federal Relations and the administrative attachment of that agency to the office of the governor.

(Committee Substitute)

THE HOUSE HAS CONCURRED IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

HB 2317 (128 Yeas, 1 Nays, 2 Present, not voting)

HCR 174 (134 Yeas, 0 Nays, 1 Present, not voting)

THE HOUSE HAS REFUSED TO CONCUR IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES AND REQUESTS THE APPOINTMENT OF A CONFERENCE COMMITTEE TO ADJUST THE DIFFERENCES BETWEEN THE TWO HOUSES:

HB 2196 (non-record vote)

House Conferees: Truitt - Chair/Darby/Herrero/Isett/Rose

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

SB 58 (non-record vote)

House Conferees: Vaught - Chair/Jones/Madden/McReynolds/Strama

SB 434 (non-record vote)

House Conferees: Bolton - Chair/Corte/Paxton/Pickett/Rodriguez

SB 562 (non-record vote)

House Conferees: Bonnen - Chair/Alvarado/Deshotel/Flynn/Menendez

SB 1495 (non-record vote)

House Conferees: Oliveira - Chair/Hartnett/Keffer/Otto/Pena

SB 2298 (non-record vote)

House Conferees: Farabee - Chair/Gallego/Harless/Hilderbran/Maldonado

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 957

Senator Watson offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the members of the Texas National MATHCOUNTS team, who won first place at the MATHCOUNTS national competition held in Orlando, Florida, on May 8, 2009; and

WHEREAS, The winning Texas team was made up of eighth-grader Yury Aglyamov from Kealing Middle School in Austin, seventh-grader Steven Chen from Canyon Vista Middle School in Round Rock, and eighth-graders Bobby Shen and Lilly Shen from First Colony Middle School in Sugar Land; and

WHEREAS, Mathlete Bobby Shen bested more than 20,000 competitors nationwide to win first place and become the 2009 national MATHCOUNTS champion; he and teammate Lilly Shen represented the United States at the 2009 Primary Mathematics World Competition in Hong Kong as members of the American team that tied for first place; and

WHEREAS, The 2009 national championship is the third consecutive championship for Texas and the fourth title in five years; Sugar Land math teacher Jeff Boyd coached all four of the winning Texas teams; he has proved to be a skillful and talented trainer and now has the best coaching record in the history of the MATHCOUNTS program; and

WHEREAS, MATHCOUNTS is a nationwide mathematics enrichment and competition program for middle school students that promotes student interest in career opportunities in mathematics, engineering, technology, and science; some 500,000 students nationwide are exposed to the program each year through coaching sessions at the school level; and

WHEREAS, Skills in mathematics are critical to success in today's workplace; these fine young students and their coach have demonstrated exceptional dedication and commitment in working to accomplish their goals; they are fine representatives of this state, and they deserve recognition for their outstanding achievements; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend each member of the Texas MATHCOUNTS team for winning the national championship title and extend to all best wishes for success in all their future endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for them as an expression of highest regard from the Texas Senate.

SR 957 was again read.

The resolution was previously adopted on Tuesday, May 19, 2009.

GUESTS PRESENTED

Senator Watson was recognized and introduced to the Senate a delegation of members of the Texas National MATHCOUNTS team and their coach.

The Senate welcomed its guests.

SENATE RESOLUTION 645

Senator Seliger offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the winners of the Search for Solutions competition at the 2008 Texas Leadership Forum; and

WHEREAS, Each year, the John Ben Shepperd Public Leadership Institute and The University of Texas of the Permian Basin host the Texas Leadership Forum, a gathering that brings together future and current leaders of Texas to discuss issues facing the state and develop creative solutions for those problems; and

WHEREAS, At the 24th annual forum, held in Austin in October of 2008, nine Texans were recognized for presenting the best overall solution during the forum's Search for Solutions competition; their winning proposal strategically addressed the issues of border security and human trafficking by establishing the Border Enforcement Security and Training Act, or BEST Act; and

WHEREAS, The proposed BEST Act directs the Department of Public Safety to designate 60 percent of projected new employees to the 18 counties of the Texas Border Sheriff's Coalition and creates an education and training program on border security and the issues surrounding human trafficking; it includes a plan to fund the program and to train state employees from other agencies working on the border as well as members of other law enforcement agencies in order to increase their effective utilization of border funding and knowledge; and

WHEREAS, Those contributing to the winning proposal were team facilitator David Erinakes and team members Aimee Anderson, Craig Caruana, Chuck Moad, Ruby Lichte Powers, Jon Rogers, Gregory Stevenson, Alec Weissgerber, and Kent Willis; and

WHEREAS, Judges for the competition were Justice Harriet O'Neill of the Texas Supreme Court, State Representative David Farabee, and Ernest Angelo, Jr., the recipient of the 2008 Outstanding State Leader Award, past Chairman of the Public Safety Commission, and former Mayor of Midland; and

WHEREAS, The young professionals who gathered for the 2008 Texas Leadership Forum have demonstrated an exemplary commitment to public service, and their creativity, initiative, and resourcefulness will serve this state well in the years to come; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby honor the Texans who presented the best overall policy recommendation during the Search for Solutions competition at the John Ben Shepperd Public Leadership Institute's 2008 Texas Leadership Forum and extend to them sincere best wishes for continued success; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for these young leaders as an expression of high regard from the Texas Senate.

SR 645 was again read.

The resolution was previously adopted on Friday, April 17, 2009.

GUESTS PRESENTED

Senator Seliger was recognized and introduced to the Senate the following participants in the John Ben Shepperd Public Leadership Institute 2008 Texas Leadership Forum: David Erinakes, Team Facilitator; Ruby Powers; Jon Rogers; Kent Willis; and Karen Johnson, Associate Director.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

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

There was no objection.

SENATE RESOLUTION 908

Senator Averitt offered the following resolution:

WHEREAS, The Senate of the State of Texas joins the citizens of Huntsville and Texans across the state in commemorating the life of James Franklin Warren, Jr., who died August 7, 2008, at the age of 42; and

WHEREAS, Jim Warren was born in Houston on December 19, 1965, to Merle Whittaker Warren and James F. "Bud" Warren; he moved with his family to Navasota in 1967, and Jim was introduced to the East Texas culture and small-town family values that remained a part of him throughout his life; and

WHEREAS, When Jim was seven years old, his family moved to Huntsville, where his father served as a state district judge; as a student at Huntsville High School, Jim wrote sports articles for *The Huntsville Item* and earned state championship awards in writing; he later attended The University of Texas at Austin and wrote for *The Daily Texan* and *Third Coast Magazine*; and

WHEREAS, In 1987, he was hired by Texas Secretary of State Jack Raines to serve as his press secretary; soon thereafter, his talent became much in demand by many in the world of Texas politics, and he served as an advisor for numerous state leaders, including the late Lieutenant Governor Bob Bullock and former Speaker of the House of Representatives Pete Laney; and

WHEREAS, Jim became a highly successful lobbyist who was known for his high standards and his knowledge of legislative rules and process; after he became ill in 2005, however, he returned to writing and became famous for his Internet web log "Billy Clyde's Political Hot Tub Party"; Jim's lifelong ambition was to serve on the state parole board following his career as a lobbyist; and

WHEREAS, Jim was respected for his brilliant mind and talent and was beloved for his sense of humor, his wisdom, and his folksy and engaging personality; he loved people and politics and was noted across the state for his wizardry with words; and

WHEREAS, A source of strength and joy to his family and friends, Jim will long be remembered with deep affection and appreciation by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby extend sincere condolences to the bereaved family of James Franklin Warren, Jr.; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Jim Warren.

SR 908 was read and was adopted by a rising vote of the Senate.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate seventh- and eighth-grade students, their teachers, and counselors from the Brownsville Independent School District.

The Senate welcomed its guests.

SENATE RESOLUTION 910

Senator Shapiro offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize the Plano High School Wildcats boys' soccer team, which recently won the University Interscholastic League Class 5A state championship title; and

WHEREAS, The Wildcats defeated the Brownsville Lopez High School Lobos by a score of 3-1 to win their sixth state championship title; the Wildcats answered the Lobos' opening goal with one of their own, and they never again trailed in the match; and

WHEREAS, These young athletes have demonstrated great talent and perseverance throughout the school year, ending the season with a record of 25-3-5; team members can take great pride in their outstanding performance; and

WHEREAS, Under the superior leadership and expertise of a dedicated coaching staff, and with the support of a devoted student body, the Wildcats won their first state championship since 2000; and

WHEREAS, Plano High School and the City of Plano are proud of the Wildcats for their hard work, their impressive skills, and their fine sportsmanship; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby commend the Plano High School Wildcats boys' soccer team on their successful season and extend congratulations to them on winning the University Interscholastic League Class 5A state championship title; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the team as an expression of esteem from the Texas Senate.

SR 910 was read and was adopted without objection.

GUESTS PRESENTED

Senator Shapiro was recognized and introduced to the Senate members of the Plano High School Wildcats boys' soccer team: Christian Brown, Ryan Brown, and Tim Williams, accompanied by their coaches, Bob Weir and Doug Adams.

The Senate welcomed its guests.

SENATE RESOLUTION 951

Senator Hinojosa offered the following resolution:

SR 951, In memory of Stuart J. Alexander of Corpus Christi.

On motion of Senator Hinojosa, **SR 951** was read and was adopted by a rising vote of the Senate.

In honor of the memory of Stuart J. Alexander of Corpus Christi, the text of the resolution is printed at the end of today's *Senate Journal*.

GUESTS PRESENTED

Senator Hinojosa was recognized and introduced to the Senate family members of Stuart J. Alexander: his wife, Vicky Alexander, and his son, Benjamin Alexander; accompanied by Lieutenant Mark Gutierrez, Corpus Christi Police Department; Corpus Christi Police Chaplain Charles Freeman; and Sharon Freeman.

The Senate welcomed its guests and extended its sympathy.

CONCLUSION OF MORNING CALL

The President at 11:44 a.m. announced the conclusion of morning call.

BILLS AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 37, SB 97, SB 161, SB 381, SB 407, SB 461, SB 495, SB 529, SB 595, SB 663, SB 874, SB 1036, SB 1188, SB 1246, SB 1291, SB 1387, SB 1448, SB 1796, SB 2019, SB 2497, SCR 63, HB 2530, HB 2877, HB 3303, HCR 10, HCR 65, HCR 85, HCR 94, HCR 97, HCR 141, HCR 142, HCR 143, HCR 144, HCR 145, HCR 146, HCR 147, HCR 165, HCR 167, HCR 169, HCR 170, HCR 178, HCR 179, HCR 189, HCR 190, HCR 191, HCR 200, HCR 201, HCR 202, HCR 203.

HOUSE BILL 1409 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1409** at this time on its second reading:

HB 1409, Relating to the minimum patient age for administration of an influenza vaccination by a pharmacist.

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

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 1409 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1409** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

PHYSICIAN OF THE DAY

Senator Ogden was recognized and presented Dr. Mary Helen Morrow of Bryan as the Physician of the Day.

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

BILLS SIGNED

The President announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read:

HB 271, HB 392, HB 448, HB 492, HB 549, HB 1342, HB 1363, HB 1468, HB 2032, HB 2064.

(Senator Carona in Chair)

(President in Chair)

HOUSE BILL 1020 ON SECOND READING

On motion of Senator Hinojosa and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1020** at this time on its second reading:

HB 1020, Relating to the use, exhibition, or possession of a firearm by public school students participating in certain school-sponsored programs and activities sponsored or supported by the Parks and Wildlife Department.

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

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 1020 ON THIRD READING

Senator Hinojosa moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1020** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

SENATE BILL 2579 ON SECOND READING

On motion of Senator Watson and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 2579** at this time on its second reading:

SB 2579, Relating to the board of directors of the Lakeway Municipal Utility District.

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

All Members are deemed to have voted "Yea" on the passage to engrossment.

SENATE BILL 2579 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 2579** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

HOUSE BILL 2558 ON SECOND READING

On motion of Senator Jackson and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2558** at this time on its second reading:

HB 2558, Relating to registration for evacuation and disaster preparedness for clients of home and community support services agencies.

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

All Members are deemed to have voted "Yea" on the passage to third reading.

HOUSE BILL 2558 ON THIRD READING

Senator Jackson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2558** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(Senator Watson in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 1164 ON THIRD READING**

Senator Wentworth moved to suspend the regular order of business to take up for consideration **CSSB 1164** at this time on its third reading and final passage:

CSSB 1164, Relating to the carrying of concealed handguns on the campuses of institutions of higher education.

The motion prevailed.

Senators Davis, Duncan, Ellis, Lucio, Ogden, Shapleigh, Van de Putte, Watson, West, and Zaffirini asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read third time.

Senator Van de Putte, on behalf of Senator Uresti, offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **CSSB 1164** on third reading as follows:

(1) In Section 411.2031, Government Code, as added by SECTION 1 of the bill, insert a new Subsection (g) to read as follows:

(g) This section does not permit a license holder to carry a concealed handgun on or about the premises of a hospital maintained or operated by an institution of higher education.

(2) Add the following SECTION to the bill, appropriately numbered, to read as follows:

SECTION _____. Section 46.03, Penal Code, is amended by adding Subsection (j) to read as follows:

(j) Subsection (a)(1)(B) does not permit a person to possess a concealed handgun, or go with a concealed handgun, on the premises of a hospital maintained or operated by an institution of higher education.

The amendment to **CSSB 1164** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 on Third Reading.

On motion of Senator Wentworth and by unanimous consent, the caption was again amended to conform to the body of the bill as amended.

CSSB 1164 as again amended was finally passed by the following vote: Yeas 20, Nays 11.

Yeas: Carona, Deuell, Eltife, Estes, Fraser, Harris, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Patrick, Seliger, Shapiro, Uresti, Wentworth, Whitmire, Williams.

Nays: Averitt, Davis, Duncan, Ellis, Gallegos, Ogden, Shapleigh, Van de Putte, Watson, West, Zaffirini.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2401 ON SECOND READING**

On motion of Senator Fraser and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2401** at this time on its second reading:

CSHB 2401, Relating to the political activities of a person employed by a county elections administrator.

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

All Members are deemed to have voted "Yea" on the passage to third reading.

**COMMITTEE SUBSTITUTE
HOUSE BILL 2401 ON THIRD READING**

Senator Fraser moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2401** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
HOUSE BILL 216 ON SECOND READING**

On motion of Senator Shapleigh and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 216** at this time on its second reading:

CSHB 216, Relating to the regulation of certain boarding houses and assisted living facilities; providing penalties.

The bill was read second time.

Senator Shapleigh offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 216** (Senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Subtitle B, Title 4, Health and Safety Code, is amended by adding Chapter 254 to read as follows:

CHAPTER 254. BOARDING HOME FACILITIES

Sec. 254.001. DEFINITIONS. In this chapter:

(1) "Assistance with self-administering medication" means assisting a resident by reminding the resident to take medication, opening and removing medications from a container, or reminding the resident when a prescription medication needs to be refilled.

(2) "Boarding home facility" means an establishment that:

(A) furnishes, in one or more buildings, lodging to three or more persons with disabilities or elderly persons who are unrelated to the owner of the establishment by blood or marriage; and

(B) provides community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication but does not provide personal care services as defined by Section 247.002 to those persons.

(3) "Commission" means the Health and Human Services Commission.

(4) "Elderly person" has the meaning assigned by Section 48.002, Human Resources Code.

(5) "Executive commissioner" means the executive commissioner of the Health and Human Services Commission.

(6) "Person with a disability" means a disabled person as defined by Section 48.002, Human Resources Code.

(7) "Resident" means a person who is residing in a boarding home facility.

Sec. 254.002. EXEMPTIONS. This chapter does not apply to:

(1) a person that is required to be licensed under Chapter 142, 242, 246, 247, or 252;

(2) a person that is exempt from licensing under Section 142.003(a)(19), 242.003(3), or 247.004(4);

(3) a hotel as defined by Section 156.001, Tax Code;

(4) a retirement community;

(5) a monastery or convent;

(6) a child-care facility as defined by Section 42.002, Human Resources Code;

(7) a family violence shelter center as defined by Section 51.002, Human Resources Code; or

(8) a sorority or fraternity house or other dormitory associated with an institution of higher education.

Sec. 254.003. MODEL STANDARDS. The executive commissioner shall develop and publish in the Texas Register model standards for the operation of a boarding home facility relating to:

(1) the construction or remodeling of a boarding home facility, including plumbing, heating, lighting, ventilation, and other housing conditions, to ensure the residents' health, safety, comfort, and protection from fire hazard;

(2) sanitary and related conditions in a boarding home facility and its surroundings, including insect and rodent control, water supply, sewage disposal, food handling, and general hygiene to ensure the residents' health, safety, and comfort;

(3) the reporting and investigation of injuries, incidents, and unusual accidents and the establishment of other policies and procedures necessary to ensure resident health and safety;

(4) assistance with self-administering medication;

(5) requirements for in-service education of the facility's staff;

(6) criminal history record checks; and

(7) assessment and periodic monitoring to ensure that a resident:

(A) does not require the boarding home facility to provide personal care, nursing, or other services not listed in Section 254.001(2); and

(B) is capable of self-administering medication or is aware of what the resident's medications look like and knows when the medications should be taken but requires assistance with self-administering medication.

Sec. 254.004. LOCAL REGULATION. A county or municipality may require a person to obtain a permit from the county or municipality to operate a boarding home facility within the county's or municipality's jurisdiction. A county or municipality may adopt the standards developed by the executive commissioner under Section 254.003 and require a boarding home facility that holds a permit issued by the county or municipality to comply with the adopted standards.

Sec. 254.005. PERMIT PROCEDURES; FEES; FINES. (a) A county or municipality that requires a person to obtain a boarding home facility permit as authorized by Section 254.004 may establish procedures for the submission of a boarding home facility permit application and for the issuance, denial, renewal, suspension, and revocation of the permit.

(b) A county or municipality that requires a person to obtain a boarding home facility permit as authorized under Section 254.004 may set reasonable fees for issuance of the permit, renewal of the permit, and inspections and may impose fines for noncompliance with the county or municipal boarding home facility regulations. The fees collected and fines imposed by the county or municipality must be used to administer the county or municipal permitting program or for other purposes directly related to providing boarding home facility or other assisted living services to elderly persons and persons with disabilities.

(c) A person required to obtain a boarding home facility permit from a county or municipality as authorized under Section 254.004 shall pay any fees required or fines imposed by the county or municipality.

Sec. 254.006. POSTING. A boarding home facility that holds a permit issued by a county or municipality shall prominently and conspicuously post for display in a public area of the boarding home facility that is readily available to residents, the operator, employees, and visitors:

(1) the permit issued by a county or municipality;
(2) a sign prescribed by the county or municipality that issued the permit that specifies how complaints may be registered with the county or municipality;

(3) a notice in a form prescribed by the county or municipality that issued the permit stating that inspection and related reports are available at the boarding home facility for public inspection and providing a telephone number that may be used to obtain information concerning the boarding home facility;

(4) a concise summary of the most recent inspection report relating to the boarding home facility; and

(5) a notice in a form prescribed by the county or municipality that issued the permit that lists the name, location, and contact information for:

(A) the closest local public health services agency in the proximity of the boarding home facility; and

(B) a local organization or entity that represents, advocates, or serves elderly persons or persons with disabilities, including any related toll-free contact information for reporting emergencies to the organization or entity.

Sec. 254.007. INSPECTIONS. (a) A county or municipality may conduct any inspection, survey, or investigation that it considers necessary and may enter the premises of a boarding home facility at reasonable times to make an inspection, survey, or investigation.

(b) A county or municipality is entitled to access to books, records, and other documents maintained by or on behalf of a boarding home facility to the extent necessary to enforce the standards adopted by the county or municipality.

Sec. 254.008. INTERLOCAL COOPERATION. Two or more counties or municipalities may cooperate and contract with each other for the purpose of inspecting and permitting boarding home facilities.

Sec. 254.009. REPORTING AND INVESTIGATION OF ABUSE, NEGLECT, OR EXPLOITATION. (a) A person, including an owner, operator, or employee of a boarding home facility that holds a permit issued by a county or municipality, who has cause to believe that a resident who is an elderly person or a person with a disability is being or has been abused, neglected, or exploited shall report the abuse, neglect, or exploitation to the Department of Family and Protective Services for investigation by that agency. The Department of Family and Protective Services shall investigate the allegation of abuse, neglect, or exploitation as authorized and in the manner provided by Chapter 48, Human Resources Code.

(b) Each boarding home facility that holds a permit issued by a county or municipality shall require each employee of the boarding home facility, as a condition of employment with the boarding home facility, to sign a statement that the employee acknowledges that the employee may be criminally liable under Section 48.052, Human Resources Code, for failure to report abuse, neglect, or exploitation.

(c) An owner, operator, or employee of a boarding home facility that holds a permit issued by a county or municipality may not retaliate against an employee of the facility who in good faith makes a complaint to the office of the inspector general of the Health and Human Services Commission, cooperates with the office of the inspector general in an investigation, or reports abuse, neglect, or exploitation of a resident to the Department of Family and Protective Services.

Sec. 254.010. ANNUAL REPORT TO COMMISSION; LEGISLATIVE REPORT. (a) Not later than September 30 of each year following the establishment of a county or municipal permitting requirement under this chapter, each county or municipality that requires a person to obtain a boarding home facility permit under Section 254.004 shall submit to the commission a report. The report must include:

(1) the total number of:

(A) boarding home facilities permitted during the preceding state fiscal year;

(B) boarding home facility applications denied permitting, including a summary of cause for denial; and

(C) boarding home facility permits active on August 31 of the preceding state fiscal year;

(2) the total number of residents reported housed in each boarding home facility reported;

(3) the total number of inspections conducted at each boarding home facility by the county or municipality that requires the permit; and

(4) the total number of permits revoked or suspended as a result of an inspection described by Subdivision (3) and a summary of the outcome for the residents displaced by revocation or suspension of a permit.

(b) The commission shall establish and maintain a standardized compilation of information reported under this section and provide to the legislature a report of this information not later than January 1 of each odd-numbered year.

Sec. 254.011. EXCLUSION PROHIBITED. If an entity meets the requirements established by a county or municipality under this chapter, the entity may not be excluded from a residential area by zoning ordinances or similar regulations.

SECTION 2. Sections 247.002(1), (2), (4), (5), and (7), Health and Safety Code, are amended to read as follows:

(1) "Assisted living facility" means an establishment that:

(A) furnishes, in one or more facilities, food and shelter to four or more persons who are unrelated to the proprietor of the establishment; ~~and~~

(B) provides:

(i) personal care services; or

(ii) administration of medication by a person licensed or otherwise authorized in this state to administer the medication; and

(C) may provide assistance with or supervision of the administration of medication.

(2) "Board" means the executive commissioner of the Health and [Texas Board of] Human Services Commission.

(4) "Department" means the [Texas] Department of Aging and Disability [Human] Services.

(5) "Personal care services" means:

(A) assistance with feeding [meals], dressing, moving [movement], bathing, or other personal needs or maintenance; or

~~(B) [the administration of medication by a person licensed to administer medication or the assistance with or supervision of medication; or~~

~~[(C)] general supervision or oversight of the physical and mental well-being of a person who needs assistance to maintain a private and independent residence in an assisted living facility or who needs assistance to manage the person's personal life, regardless of whether a guardian has been appointed for the person.~~

(7) "Commissioner" means the commissioner of the department [human services].

SECTION 3. Section 247.004, Health and Safety Code, is amended to read as follows:

Sec. 247.004. EXEMPTIONS. This chapter does not apply to:

(1) a boarding home facility as defined by Section 254.001 [that has rooms for rent and that may offer community meals, light housework, meal preparation, transportation, grocery shopping, money management, or laundry services but that does not provide personal care services];

(2) an establishment conducted by or for the adherents of the Church of Christ, Scientist, for the purpose of providing facilities for the care or treatment of the sick who depend exclusively on prayer or spiritual means for healing without the use of any drug or material remedy if the establishment complies with local safety, sanitary, and quarantine ordinances and regulations;

(3) a facility conducted by or for the adherents of a qualified religious society classified as a tax-exempt organization under an Internal Revenue Service group exemption ruling for the purpose of providing personal care services without charge solely for the society's professed members or ministers in retirement, if the facility complies with local safety, sanitation, and quarantine ordinances and regulations; or

(4) a facility that provides personal care services only to persons enrolled in a program that is funded in whole or in part by the department [Texas Department of Mental Health and Mental Retardation] and that is monitored by the department [Texas Department of Mental Health and Mental Retardation] or its designated local mental retardation authority in accordance with standards set by the department [Texas Department of Mental Health and Mental Retardation].

SECTION 4. Section 247.030, Health and Safety Code, is repealed.

SECTION 5. It is the intent of the legislature that the passage by the 81st Legislature, Regular Session, 2009, of another bill that amends Subtitle B, Title 4, Health and Safety Code, and Chapter 247, Health and Safety Code, and the amendments made by this Act shall be harmonized, if possible, as provided by Section 311.025(b), Government Code, so that effect may be given to each. If the amendments made by this Act to Subtitle B, Title 4, Health and Safety Code, and Chapter 247, Health and Safety Code, and the amendments made to Subtitle B, Title 4, Health and Safety Code, and Chapter 247, Health and Safety Code, by any other bill are irreconcilable, it is the intent of the legislature that this Act prevail, regardless of the relative dates of enactment of this Act and the other bill or bills, but only to the extent that differences are irreconcilable.

SECTION 6. Not later than September 1, 2010, the executive commissioner of the Health and Human Services Commission shall adopt the model standards required by Section 254.003, Health and Safety Code, as added by this Act.

SECTION 7. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2009.

(b) Sections 254.004 through 254.008, Health and Safety Code, as added by this Act, and Section 4 of this Act take effect September 1, 2010.

The amendment to **CSHB 216** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Ogden offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSHB 216** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill appropriately:

SECTION _____. This Act does not make an appropriation. A provision in this Act that creates a new governmental program, creates a new entitlement, or imposes a new duty on a governmental entity is not mandatory during a fiscal period for which the legislature has not made a specific appropriation to implement the provision.

The amendment to **CSHB 216** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

On motion of Senator Shapleigh and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 216 as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

**COMMITTEE SUBSTITUTE
HOUSE BILL 216 ON THIRD READING**

Senator Shapleigh moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 216** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(Senator Carona in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 2060 ON SECOND READING**

Senator Lucio moved to suspend the regular order of business to take up for consideration **CSSB 2060** at this time on its second reading:

CSSB 2060, Relating to the authority of a school district to implement a school bus monitoring system that records images, including images of vehicles that pass a stopped school bus; providing for the imposition of penalties.

The motion prevailed by the following vote: Yeas 20, Nays 10.

Yeas: Averitt, Carona, Davis, Deuell, Ellis, Gallegos, Hinojosa, Lucio, Nelson, Nichols, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Zaffirini.

Nays: Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, Whitmire, Williams.

Absent: Ogden.

The bill was read second time.

Senator Jackson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2060** (Senate committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 542.2035, Transportation Code, is amended to read as follows:

Sec. 542.2035. AUTOMATED TRAFFIC CONTROL SYSTEMS PROHIBITED ~~[LIMITATION ON MUNICIPALITIES]~~. (a) A local authority ~~[municipality]~~ may not implement or operate an automated traffic control system with respect to a highway or street under its jurisdiction ~~[for the purpose of enforcing compliance with posted speed limits]~~. The attorney general shall enforce this subsection.

(b) In this section, "automated traffic control system" means a system consisting of a photographic device, radar device, laser device, or other electrical or mechanical device that ~~[designed to]~~:

(1) is capable of producing one or more recorded photographic or digital images depicting the license plate attached to the front or rear of a motor vehicle that is not operated in compliance with a posted speed limit or the instructions of a traffic-control signal; and

(2) is used by the local authority to enforce compliance with a posted speed limit or the instructions of a traffic-control signal by imposition of a civil or administrative penalty against the owner or operator of the motor vehicle ~~[record the speed of a motor vehicle; and~~

~~[(2) obtain one or more photographs or other recorded images of:~~

~~[(A) the vehicle;~~

~~[(B) the license plate attached to the vehicle; or~~

~~[(C) the operator of the vehicle].~~

SECTION 2. Subchapter B, Chapter 542, Transportation Code, is amended by adding Section 542.2036 to read as follows:

Sec. 542.2036. SCHOOL BUS MONITORING SYSTEMS PROHIBITED. (a) A local authority or school district may not implement or operate a school bus monitoring system. The attorney general shall enforce this subsection.

(b) In this section, "school bus monitoring system" means a system consisting of a camera or other electrical or mechanical device that:

(1) is capable of producing one or more photographic, electronic, video, or digital images of vehicles that pass a school bus when the bus is operating a visual signal as required by Section 547.701; and

(2) is used by a local authority or school district to enforce compliance with Section 545.066 by the imposition of a civil or administrative penalty against the owner or operator of the motor vehicle.

SECTION 3. Section 27.031(a), Government Code, is amended to read as follows:

(a) In addition to the jurisdiction and powers provided by the constitution and other law, the justice court has original jurisdiction of:

(1) civil matters in which exclusive jurisdiction is not in the district or county court and in which the amount in controversy is not more than \$10,000, exclusive of interest;

(2) cases of forcible entry and detainer; and

(3) foreclosure of mortgages and enforcement of liens on personal property in cases in which the amount in controversy is otherwise within the justice court's jurisdiction[~~;- and~~

~~[(4) cases arising under Chapter 707, Transportation Code, outside a municipality's territorial limits].~~

SECTION 4. Section 133.004, Local Government Code, as amended by Chapters 718 (H.B. 2359), 1027 (H.B. 1623), and 1149 (S.B. 1119), Acts of the 80th Legislature, Regular Session, 2007, is reenacted and amended to read as follows:

Sec. 133.004. CIVIL FEES. This chapter applies to the following civil fees:

(1) the consolidated fee on filing in district court imposed under Section 133.151;

(2) the filing fee in district court for basic civil legal services for indigents imposed under Section 133.152;

(3) the filing fee in courts other than district court for basic civil legal services for indigents imposed under Section 133.153;

(4) the filing fees for the judicial fund imposed in certain statutory county courts under Section 51.702, Government Code;

(5) the filing fees for the judicial fund imposed in certain county courts under Section 51.703, Government Code;

(6) the filing fees for the judicial fund imposed in statutory probate courts under Section 51.704, Government Code;

(7) fees collected under Section 118.015;

(8) marriage license fees for the family trust fund collected under Section 118.018;

(9) marriage license or declaration of informal marriage fees for the child abuse and neglect prevention trust fund account collected under Section 118.022; and

(10) the filing fee for the judicial fund imposed in district court, statutory county court, and county court under Section 133.154[~~;- and~~

~~[(11) the portion of the civil or administrative penalty described by Section 542.406(e)(1), Transportation Code, imposed by a local authority to enforce compliance with the instructions of a traffic control signal;~~

~~[(11) the portion of the civil or administrative penalty described by Section 707.008(a)(1), Transportation Code, imposed by a local authority to enforce compliance with the instructions of a traffic control signal].~~

SECTION 5. The following are repealed:

(1) Section 29.003(g), Government Code;

(2) Chapter 782, Health and Safety Code;

(3) Sections 542.202(b)(3), 542.405, and 542.406, Transportation Code;

and

(4) Chapter 707, Transportation Code.

SECTION 6. (a) The repeal by this Act of Chapter 707, Transportation Code, does not affect the validity of a proceeding initiated or a civil penalty imposed under that chapter before the effective date of this Act. A proceeding initiated or a civil penalty imposed under Chapter 707 of that code before the effective date of this Act is governed by the applicable law in effect before the effective date of this Act, and the former law is continued in effect for that purpose.

(b) Notwithstanding the repeal by this Act of Chapter 707, Transportation Code, if before June 1, 2009, a local authority had enacted an ordinance under former Section 707.002 of that chapter to implement a photographic traffic signal enforcement system and entered into a contract for the administration and enforcement of the system, the local authority may continue to operate the system under that ordinance and under the terms of that contract until the expiration date specified in the contract as the contract existed on June 1, 2009.

SECTION 7. This Act takes effect September 1, 2009.

The amendment to **CSSB 2060** was read.

Senator Jackson withdrew Floor Amendment No. 1.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 2060** (committee printing page 1) immediately following the enacting clause by adding the following new SECTION 1 and renumbering subsequent SECTIONS of the bill accordingly:

SECTION 1. This Act shall be known as the Valerie Garcia Act.

The amendment to **CSSB 2060** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent: Ogden.

On motion of Senator Lucio and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 2060 as amended was passed to engrossment by the following vote: Yeas 19, Nays 11.

Yeas: Averitt, Carona, Davis, Deuell, Ellis, Gallegos, Hinojosa, Lucio, Nelson, Nichols, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, Zaffirini.

Nays: Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, West, Whitmire, Williams.

Absent: Ogden.

LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Ogden was granted leave of absence for the remainder of the day on account of important business.

HOUSE BILL 2318 ON SECOND READING

On motion of Senator Duncan and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2318** at this time on its second reading:

HB 2318, Relating to the fuel ethanol and biodiesel incentive program of the Department of Agriculture.

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

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

Absent-excused: Ogden.

HOUSE BILL 2318 ON THIRD READING

Senator Duncan moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2318** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

COMMITTEE SUBSTITUTE SENATE BILL 2060 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2060** be placed on its third reading and final passage:

CSSB 2060, Relating to the authority of a school district to implement a school bus monitoring system that records images, including images of vehicles that pass a stopped school bus; providing for the imposition of penalties.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Averitt, Carona, Davis, Deuell, Ellis, Gallegos, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, Whitmire, Williams, Zaffirini.

Nays: Duncan, Eltife, Estes, Fraser, Harris, West.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 19, Nays 11.

Yeas: Averitt, Carona, Davis, Deuell, Ellis, Gallegos, Hinojosa, Lucio, Nelson, Nichols, Patrick, Seliger, Shapiro, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, Zaffirini.

Nays: Duncan, Eltife, Estes, Fraser, Harris, Hegar, Huffman, Jackson, West, Whitmire, Williams.

Absent-excused: Ogden.

**SENATE CONCURRENT RESOLUTION 70
ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **SCR 70** at this time on its second reading:

SCR 70, Expressing support of the Ecumenical Patriarchate, in Istanbul, urging intervention by the United States, the European Union, and the United Nations to stop institutional discrimination against the Ecumenical Patriarchate, and calling on the government of Turkey to safeguard religious rights within its borders, including those of the Ecumenical Patriarchate.

The resolution was read second time and was adopted by the following vote: Yeas 30, Nays 0.

Absent-excused: Ogden.

HOUSE BILL 2963 ON SECOND READING

On motion of Senator Patrick and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2963** at this time on its second reading:

HB 2963, Relating to the liability of a county, hospital district, or public hospital for the costs of health care services provided to an indigent patient.

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2963** by adding the following new SECTIONS and renumbering subsequent sections appropriately.

SECTION __. Section 61.029, Health and Safety Code, is amended by adding Subsection (c) to read as follows:

(c) A county may provide or arrange to provide health care services for eligible county residents through the purchase of health coverage or other health benefits, including benefits described by Chapter 75.

SECTION __. Section 61.056, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) A public hospital or hospital district may provide or arrange to provide health care services for eligible residents through the purchase of health coverage or other health benefits, including benefits described by Chapter 75. For purposes of this subsection, the board of directors or managers of the hospital or district has the powers and duties provided to the commissioners court of a county under Chapter 75.

The amendment to **HB 2963** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Ogden.

On motion of Senator Patrick and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 2963 as amended was passed to third reading by a viva voce vote.

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

Absent-excused: Ogden.

HOUSE BILL 2963 ON THIRD READING

Senator Patrick moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2963** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

HOUSE BILL 1711 ON SECOND READING

Senator Whitmire moved to suspend the regular order of business to take up for consideration **HB 1711** at this time on its second reading:

HB 1711, Relating to requiring the Texas Department of Criminal Justice to establish a comprehensive reentry and reintegration plan for offenders released or discharged from a correctional facility.

The motion prevailed.

Senator Nichols asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Whitmire offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **HB 1711** as follows:

On page 4 line 16 after the word "department", insert "shall coordinate the work of the task force with the Office of Court Administration, and"

On page 4 line 18 after the word "force" insert ":", and strike the following language on lines 18-19, "~~in the office of the governor.~~"

On page 2 line 20, strike "~~each offender~~" and insert "offenders" and on page 2 line 24, strike "~~each offender~~" and insert "offenders";

The amendment to **HB 1711** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Committee Amendment No. 1 except as follows:

Nays: Nichols.

Absent-excused: Ogden.

Senator Whitmire, on behalf of Senator Ogden, offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 1711** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill appropriately:

SECTION _____. This Act does not make an appropriation. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 81st Legislature.

The amendment to **HB 1711** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Nays: Nichols.

Absent-excused: Ogden.

On motion of Senator Whitmire and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 1711 as amended was passed to third reading by a viva voce vote.

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

Nays: Nichols.

Absent-excused: Ogden.

HOUSE BILL 1711 ON THIRD READING

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1711** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Nichols.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
HOUSE BILL 802 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 802** at this time on its second reading:

CSHB 802, Relating to the creation of the lifespan respite services program.

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

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

Absent-excused: Ogden.

**COMMITTEE SUBSTITUTE
HOUSE BILL 802 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 802** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 2574 ON SECOND READING**

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 2574** at this time on its second reading:

CSSB 2574, Relating to the regulation of tire businesses and authorizing a fee for tire purchases for regulatory compliance in certain counties; creating an offense.

The bill was read second time.

Senator Uresti offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 2574** (Senate committee printing) in SECTION 1 of the bill, in added Section 234.052, Local Government Code (page 1, line 25), between "to" and "a county" by inserting "the unincorporated area of".

The amendment to **CSSB 2574** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent-excused: Ogden.

On motion of Senator Uresti and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 2574 as amended was passed to engrossment by a viva voce vote.

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

Absent-excused: Ogden.

**COMMITTEE SUBSTITUTE
SENATE BILL 2574 ON THIRD READING**

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 2574** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

HOUSE BILL 2424 ON SECOND READING

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2424** at this time on its second reading:

HB 2424, Relating to exempting Lamar State College–Orange and Lamar State College–Port Arthur from certain requirements relating to student admissions.

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

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

Absent-excused: Ogden.

HOUSE BILL 2424 ON THIRD READING

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2424** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 73 ON SECOND READING**

On motion of Senator Nelson and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 73** at this time on its second reading:

CSSB 73, Relating to the establishment of an adult stem cell research program.

The bill was read second time.

Senator Shapleigh offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 73** (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 156.001, Education Code (page 1, between lines 23 and 24), insert the following new Subdivision (2) and renumber subsequent subdivisions of that section appropriately:

(2) "Advisory committee" means the advisory committee appointed under Section 156.006.

(2) In SECTION 1 of the bill, in added Section 156.006, Education Code (page 2, lines 52-56), strike Subsection (a) and substitute the following:

(a) An advisory committee is established to make recommendations based on prevailing international best practices in adult stem cell research to assist the research oversight committee in performing its duties. The research oversight committee shall consult with the advisory committee to develop grant and loan application procedures for research proposals submitted by consortium participants.

(3) In SECTION 1 of the bill, in added Chapter 156, Education Code (page 2, between lines 67 and 68), insert the following:

Sec. 156.007. PEER REVIEW PROCEDURES AND CRITERIA. (a) The advisory committee shall establish procedures and criteria for peer review of applications for grants and loans for proposed research projects consistent with national and international standards, including the enhanced review criteria for the evaluation of research applications received for potential funding in fiscal year 2010 and the associated scoring procedures used by the National Institutes of Health. The advisory committee shall establish conflict of interest standards regarding peer reviewers consistent with 42 C.F.R. Section 52h.5.

(b) The advisory committee shall select reviewers for the peer review process based on a reviewer's training and experience in relevant scientific, medical, or technical fields, taking into account:

(1) the formal scientific or technical education completed;

(2) relevant research engaged in by the person, including whether the person was the principal researcher;

(3) any awards, honors, or other recognition received from scientific, professional, and medical organizations; and

(4) the need to include experts from various areas of specialization within relevant scientific, medical, or technical fields.

(c) Notwithstanding Subsection (b), not more than 50 percent of the peer reviewers for an application may be residents of this state.

(d) A peer reviewer is not an officer or employee of this state.

(4) In SECTION 1 of the bill, in added Section 156.007, Education Code (page 3, lines 17-25), strike Subsection (b) and substitute the following:

(b) The research oversight committee shall refer all grant and loan applications to the advisory committee for competitive, peer review evaluation of the medical, scientific, and technical merits of the proposed research project. The advisory committee shall, giving consideration to the substance and results of peer review of individual research project proposals, recommend to the research oversight committee acceptance or rejection of an individual grant or loan application.

(5) In SECTION 1 of the bill, in added Section 156.007(d), Education Code (page 3, line 33), between "writing" and "and", insert "not later than the 14th day after the date of the decision".

(6) In SECTION 1 of the bill, in added Chapter 156, Education Code, renumber sections and correct cross-references appropriately (page 2, line 68, and page 3, lines 34, 37, 41, and 47).

The amendment to **CSSB 73** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent: Duncan.

Absent-excused: Ogden.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 73** (Senate committee printing) as follows:

(1) In SECTION 1 of the bill, in added Section 156.005(b)(1)(B), Education Code (page 2, line 42), after the underlined semicolon, strike "and".

(2) In SECTION 1 of the bill, in added Section 156.005(b), Education Code (page 2, between lines 42 and 43), insert the following new Subdivision (2) and redesignate the following subdivision accordingly:

(2) nonprofit entities that conduct adult stem cell research in affiliation with an institution of higher education and:

(A) accept public money for adult stem cell research; or

(B) otherwise agree to participate in the consortium; and

(3) In SECTION 1 of the bill, in added Section 156.006(b)(1), Education Code (page 2, line 60), after the underlined semicolon, strike "and".

(4) In SECTION 1 of the bill, in added Section 156.006(b), Education Code (page 2, between lines 60 and 61), insert the following new Subdivision (2) and redesignate the following subdivision accordingly:

(2) a member representing each nonprofit entity participating in the consortium, appointed by the director of the nonprofit entity; and

The amendment to **CSSB 73** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 except as follows:

Absent: Duncan.

Absent-excused: Ogden.

On motion of Senator Nelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 73 as amended was passed to engrossment by a viva voce vote.

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 1568 ON SECOND READING

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1568** at this time on its second reading:

HB 1568, Relating to authorizing an exemption from tuition and fees charged by a junior college district for employees of the district.

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

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

Absent-excused: Ogden.

HOUSE BILL 1568 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1568** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

COMMITTEE SUBSTITUTE**SENATE BILL 1603 ON SECOND READING**

Senator Shapleigh moved to suspend the regular order of business to take up for consideration **CSSB 1603** at this time on its second reading:

CSSB 1603, Relating to requiring financial disclosure concerning reports prepared by public institutions of higher education for other entities.

The motion prevailed.

Senators Eltife, Harris, and Shapiro asked to be recorded as voting "Nay" on suspension of the regular order of business.

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

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

Nays: Eltife, Harris, Shapiro.

Absent: Duncan.

Absent-excused: Ogden.

**COMMITTEE SUBSTITUTE
SENATE BILL 1603 ON THIRD READING**

Senator Shapleigh moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1603** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 3.

Yeas: Averitt, Carona, Davis, Deuell, Ellis, Estes, Fraser, Gallegos, Hegar, Hinojosa, Huffman, Jackson, Lucio, Nelson, Nichols, Patrick, Seliger, Shapleigh, Uresti, Van de Putte, Watson, Wentworth, West, Whitmire, Williams, Zaffirini.

Nays: Eltife, Harris, Shapiro.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 3. (Same as previous roll call)

HOUSE BILL 2480 ON SECOND READING

Senator Seliger moved to suspend the regular order of business to take up for consideration **HB 2480** at this time on its second reading:

HB 2480, Relating to agreements with public junior colleges for courses for joint high school and junior college credit.

The motion prevailed.

Senators Eltife and Fraser asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2480** (Senate committee report) in SECTION 1 of the bill as follows:

(1) In the introductory language (page 1, line 12), strike "Subsection (d)" and substitute "Subsections (d) and (d-1)".

(2) In added Section 130.008(d), Education Code (page 1, line 13), strike "A public junior college" and substitute "Except as provided by Subsection (d-1), a public junior college".

(3) Immediately following added Section 130.008(d), Education Code (page 1, between lines 17 and 18), insert the following:

(d-1) A public junior college may enter into an agreement described by Subsection (d) with respect to a high school located within the service area of another junior college district only if the other junior college district is unable to provide the requested course to the satisfaction of the school district.

The amendment to **HB 2480** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent: Duncan.

Absent-excused: Ogden.

On motion of Senator Seliger and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 2480 as amended was passed to third reading by a viva voce vote.

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 2480 ON THIRD READING

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2480** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

HOUSE BILL 2726 ON SECOND READING

On motion of Senator Williams and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2726** at this time on its second reading:

HB 2726, Relating to regional participation agreements.

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

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 2726 ON THIRD READING

Senator Williams moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2726** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

HOUSE BILL 1682 ON SECOND READING

On motion of Senator Averitt and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1682** at this time on its second reading:

HB 1682, Relating to the creation of a county court at law in Navarro County.

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

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

Absent-excused: Ogden.

HOUSE BILL 1682 ON THIRD READING

Senator Averitt moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1682** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

HOUSE BILL 1579 ON SECOND READING

On motion of Senator Lucio and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1579** at this time on its second reading:

HB 1579, Relating to a county's removal of flood water resulting from a natural disaster in certain communities.

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

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 1579 ON THIRD READING

Senator Lucio moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1579** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

HOUSE BILL 473 ON SECOND READING

On motion of Senator Seliger and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 473** at this time on its second reading:

HB 473, Relating to procurement methods of the Ector County Hospital District for the construction, rehabilitation, alteration, or repair of certain projects.

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

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 473 ON THIRD READING

Senator Seliger moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 473** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

HOUSE BILL 1802 ON SECOND READING

On motion of Senator Ellis and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 1802** at this time on its second reading:

HB 1802, Relating to mobile food units in certain municipalities.

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

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 1802 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1802** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

HOUSE BILL 551 ON SECOND READING

On motion of Senator Harris and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 551** at this time on its second reading:

HB 551, Relating to the electronic transmission of a federal postcard application used for voting.

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

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

Absent-excused: Ogden.

HOUSE BILL 551 ON THIRD READING

Senator Harris moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 551** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

HOUSE BILL 2893 ON SECOND READING

On motion of Senator Shapleigh and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2893** at this time on its second reading:

HB 2893, Relating to the technology demonstration sites project.

The bill was read second time.

Senator Shapleigh offered the following amendment to the bill:

Floor Amendment No. 1

Amend **HB 2893** (Senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 32, Education Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. COMPUTER LENDING PILOT PROGRAM

Sec. 32.351. ESTABLISHMENT OF PILOT PROGRAM. The commissioner by rule shall establish a computer lending pilot program to provide computers to participating public schools that make computers available for use by students and their parents.

Sec. 32.352. PILOT PROGRAM ADMINISTRATION. The commissioner shall establish procedures for the administration of the pilot program, including procedures for distributing to participating public schools:

(1) any surplus or salvage data processing equipment available for distribution under the pilot program; or

(2) computers donated or purchased for that purpose with funds from any available source, including a foundation, private entity, governmental entity, and institution of higher education.

Sec. 32.353. ELIGIBLE SCHOOLS. A public school is eligible to participate in the pilot program if:

(1) 50 percent or more of the students enrolled in the school are educationally disadvantaged; and

(2) the school operates or agrees to operate a computer lending program that:

(A) allows students and parents to borrow a computer;

(B) includes an option for students and parents to work toward owning a computer initially borrowed under the school's lending program, subject to any applicable legal restrictions regarding disposition of the computer involved;

(C) provides computer training for students and parents; and

(D) operates outside regular school hours, including operation until at least 7 p.m. on at least three days each week.

Sec. 32.354. ANNUAL REPORT. Not later than January 1 of each year, the commissioner shall submit a report to the legislature regarding the computer lending pilot program established under this subchapter.

Sec. 32.355. EXPIRATION. This subchapter expires September 1, 2014.

SECTION ____. Section 2175.128, Government Code, is amended by adding Subsections (a-1) and (b-1) to read as follows:

(a-1) Notwithstanding Subsection (a), if a disposition of a state agency's surplus or salvage data processing equipment is not made under Section 2175.125 or 2175.184, the state agency shall make the equipment available to the commissioner of education for use in the computer lending pilot program established under Subchapter H, Chapter 32, Education Code. If the commissioner of education declines to take the equipment, the state agency shall transfer the equipment in accordance with Subsection (a). The state agency may not collect a fee or other reimbursement from the commissioner of education for the equipment made available under this subsection. This subsection expires September 1, 2014.

(b-1) Notwithstanding Subsection (b), if a disposition of the surplus or salvage data processing equipment of a state eleemosynary institution or an institution or agency of higher education is not made under other law, the institution or agency shall make the equipment available to the commissioner of education for use in the computer lending pilot program established under Subchapter H, Chapter 32,

Education Code. If the commissioner of education declines to take the equipment, the institution or agency shall transfer the equipment in accordance with Subsection (b). The state eleemosynary institution or institution or agency of higher education may not collect a fee or other reimbursement from the commissioner of education for the equipment made available under this subsection. This subsection expires September 1, 2014.

The amendment to **HB 2893** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent: Duncan.

Absent-excused: Ogden.

On motion of Senator Shapleigh and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

HB 2893 as amended was passed to third reading by a viva voce vote.

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 2893 ON THIRD READING

Senator Shapleigh moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2893** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE CONCURRENT RESOLUTION 67 ON SECOND READING

On motion of Senator Wentworth and by unanimous consent, the regular order of business was suspended to take up for consideration **SCR 67** at this time on its second reading:

SCR 67, Authorizing the Texas Legislative Council to pay membership dues to the Council of State Governments for state officers.

The resolution was read second time and was adopted by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 2333 ON SECOND READING

On motion of Senator Davis and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2333** at this time on its second reading:

HB 2333, Relating to the lease of certain oil, gas, or mineral land by a municipality.

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

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 2333 ON THIRD READING

Senator Davis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2333** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

HOUSE BILL 2039 ON SECOND READING

On motion of Senator Uresti and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 2039** at this time on its second reading:

HB 2039, Relating to the transfer of certain state property from the Department of Aging and Disability Services to certain community mental health and mental retardation centers.

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

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

Absent: Duncan.

Absent-excused: Ogden.

HOUSE BILL 2039 ON THIRD READING

Senator Uresti moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2039** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
HOUSE BILL 2275 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2275** at this time on its second reading:

CSHB 2275, Relating to creating a task force to develop uniform standards for subdivisions in the unincorporated areas of counties near the international border and in economically distressed counties.

The bill was read second time.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSHB 2275** (Senate committee printing) as follows:

(1) In SECTION 2 of the bill, in proposed Subsection (d), after the period (page 2, line 12), insert the following:

A member of the task force may not be paid compensation or reimbursement for travel or other expenses from state funds unless the legislature makes a specific appropriation for that purpose.

(2) In SECTION 2 of the bill, in proposed Subsection (e) (page 2, line 13), strike "attorney general" and substitute "Texas Water Development Board".

(3) In SECTION 2 of the bill, in proposed Subsection (e), after the period (page 2, line 15), insert the following:

The Texas Water Development Board may require the task force to conduct meetings at a location that is geographically convenient to a majority of the members of the task force or in various geographic regions of the state.

(4) In SECTION 2 of the bill, in proposed Subsection (f) (page 2, line 16), strike "attorney general" and substitute "Texas Water Development Board".

The amendment to **CSHB 2275** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Absent: Duncan.

Absent-excused: Ogden.

On motion of Senator Zaffirini and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSHB 2275 as amended was passed to third reading by a viva voce vote.

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

Absent: Duncan.

Absent-excused: Ogden.

COMMITTEE SUBSTITUTE HOUSE BILL 2275 ON THIRD READING

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2275** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Duncan.

Absent-excused: Ogden.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0. (Same as previous roll call)

SENATE BILL 1237 WITH HOUSE AMENDMENTS

Senator Estes called **SB 1237** from the President's table for consideration of the House amendments to the bill.

The Presiding Officer, Senator Carona in Chair, laid the bill and the House amendments before the Senate.

Floor Amendment No. 1 on Third Reading

Amend **SB 1237**, second reading, SECTION 6 to read as follows and renumber remaining sections appropriately:

SECTION 6. This Act applies only to counties that have a population of 150,000 residents or less.

Floor Amendment No. 3 on Third Reading

Amend **SB 1237**, on page 1, line 24, by striking the following: "~~chief juvenile probation officer~~" and insert the following, "juvenile board"

Floor Amendment No. 4 on Third Reading

Amend **SB 1237** as follows:

On page 2, line 3, strike "~~duties.~~" and insert the following, "duties; and"

On page 2, line 6, after the word, "state" insert the following:

(3) A juvenile probation officer is disqualified from authorization to carry a firearm under this section if the juvenile probation officer has any past or present disciplinary investigations with the department or any other agency or department that serves youth or adults.

Floor Amendment No. 5 on Third Reading

Amend **SB 1237** as follows:

On page 2, line 3, strike "~~duties.~~" and insert the following, "duties; and"

On page 2, line 6, after, "state." insert the following:

(3) the juvenile probation officer authorized to carry a firearm must be an employee of the juvenile probation department for at least three (3) years.

The amendments were read.

Senator Estes moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **SB 1237** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Estes, Chair; Hegar, Deuell, Whitmire, and Seliger.

(Senator Eltife in Chair)

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

HB 1229 to Committee on Finance.

HB 1657 to Committee on State Affairs.

HB 3521 to Committee on Natural Resources.

HB 3749 to Committee on Administration.

HB 4702 to Committee on Intergovernmental Relations.

MOTION TO RECONSIDER VOTE ON HOUSE BILL 2572

Senator Nichols moved that the vote by which **HB 2572** was finally passed be reconsidered.

Senator Nichols withdrew the motion to reconsider the vote by which **HB 2572** was finally passed.

HOUSE BILL 3340 ON SECOND READING

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3340** at this time on its second reading:

HB 3340, Relating to the conveyance of certain state forest land in Cherokee County under the control of the board of regents of The Texas A&M University System.

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

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

Absent-excused: Ogden.

HOUSE BILL 3340 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3340** be placed on its third reading and final passage.

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

Absent-excused: Ogden.

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

HOUSE BILL 3896 REREFERRED

Senator Uresti submitted a Motion In Writing requesting that **HB 3896** be withdrawn from the Committee on Administration and rereferred to the Committee on Economic Development.

The Motion In Writing prevailed without objection.

**VOTE RECONSIDERED ON
HOUSE BILL 2572**

On motion of Senator Nichols and by unanimous consent, the vote by which **HB 2572** was finally passed was reconsidered.

Question — Shall **HB 2572** be finally passed?

On motion of Senator Nichols, further consideration of **HB 2572** was postponed to a time certain of 11:00 a.m. tomorrow.

**COMMITTEE SUBSTITUTE
SENATE BILL 73 ON THIRD READING**

Senator Nelson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 73** be placed on its third reading and final passage:

CSSB 73, Relating to the establishment of an adult stem cell research program.

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

Absent-excused: Ogden.

The bill was read third time.

Senator Nelson, on behalf of Senator Ogden, offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **CSSB 73** (Senate committee printing) on third reading by adding appropriately numbered SECTIONS to the bill to read as follows and renumbering subsequent SECTIONS accordingly:

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

SECTION _____. Subtitle H, Title 2, Health and Safety Code, is amended by adding Chapter 172 to read as follows:

CHAPTER 172. BIOMEDICAL RESEARCH

Sec. 172.001. DEFINITION. In this chapter, "state agency" means a department, commission, board, office, or other agency in the executive branch of state government created by the state constitution or a state statute, including an institution of higher education as defined by Section 61.003, Education Code.

Sec. 172.002. ANNUAL REPORT. (a) Not later than December 1 of each year, a state agency that conducts, funds, or supports biomedical research shall submit to the governor, the Legislative Budget Board, and the commissioner of state health services a report, in the format established by the commissioner, on whether the agency conducted, funded, or supported during the preceding state fiscal year any research that involves human stem cells or human cloning.

(b) A state agency that conducts, funds, or supports any research that involves human stem cells or human cloning must include in the report submitted under Subsection (a) information on:

(1) the type of research conducted, funded, or supported by the state agency that involves:

(A) human stem cells; and

(B) human cloning, including therapeutic and reproductive cloning;

(2) the process through which the human stem cells and stem cell lines were derived, if applicable;

(3) the amount and source of state and federal money, private grants, and other funding used to conduct, fund, or support the research;

(4) the use of state facilities to conduct or support the research; and

(5) the goals, progress, and results of the research.

(c) A state agency shall not include in the report:

(1) information that the agency is not required to publicly disclose under Chapter 552, Government Code; or

(2) the name, address, or other personal identifying information of an individual conducting or otherwise participating in research that is the subject of the report.

SECTION ____. Not later than December 1, 2009, a state agency that conducts, funds, or supports biomedical research shall submit the initial report required under Chapter 172, Health and Safety Code, as added by this Act.

The amendment to **CSSB 73** was read.

Senator Watson offered the following amendment to Floor Amendment No. 1 on Third Reading:

Floor Amendment No. 2 on Third Reading

Amend Floor Amendment No. 1 on Third Reading by Ogden to **CSSB 73** as follows:

On page 2, line 10 between "(1)" and "information", insert "proprietary, competitive, and other"

The amendment to Floor Amendment No. 1 on Third Reading to **CSSB 73** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2 on Third Reading except as follows:

Absent-excused: Ogden.

Question recurring on the adoption of Floor Amendment No. 1 on Third Reading to **CSSB 73**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 on Third Reading as amended except as follows:

Absent-excused: Ogden.

On motion of Senator Nelson and by unanimous consent, the caption was again amended to conform to the body of the bill as amended.

CSSB 73 as again amended was finally passed by the following vote: Yeas 30, Nays 0.

Absent-excused: Ogden.

SENATE RULES SUSPENDED (Posting Rules)

On motion of Senator West and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Intergovernmental Relations might meet and consider the following bills tomorrow:

HB 781, HB 2212, HB 1686, HB 1946, HB 2035, HB 2348, HB 4007, HB 4711, HB 4715, HB 4722, HB 4730, HB 4755, HB 4759, HB 4771, HB 4777, HB 4778, HB 4784, HB 4798, HB 4799, HB 4800, HB 4803, HB 4815, HB 4817, HB 4827, HB 4828.

SENATE RULE 7.12(a) SUSPENDED (Printing of Bills)

On motion of Senator Uresti and by unanimous consent, Senate Rule 7.12(a) was suspended and the committee report for **HB 2502** was ordered not printed.

NOTICE GIVEN FOR LOCAL AND UNCONTESTED CALENDAR

Senator Uresti announced that a Local and Uncontested Calendar had been furnished to each Member of the Senate. He then gave notice that the Local and Uncontested Calendar Session would be held at 8:00 a.m. tomorrow and that all bills and resolutions would be considered on second and third reading in the order in which they were listed.

SENATE RULE 11.13 SUSPENDED (Consideration of Bills in Committees)

On motion of Senator Uresti and by unanimous consent, Senate Rule 11.13 was suspended to grant all committees permission to meet while the Senate is meeting tomorrow.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Nelson and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Health and Human Services might meet and consider the following bills tomorrow:

HB 2917, HB 3112, HB 3859.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Estes and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Business and Commerce might meet and consider the following bills tomorrow:

HB 534, HB 821, HB 2223, HB 3221, HB 1055.

SENATE RULE 11.10(a) SUSPENDED
(Public Notice of Committee Meetings)

On motion of Senator Duncan and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on State Affairs might meet today.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Lucio and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on International Relations and Trade might meet and consider the following bills today:

HB 1972, HB 1326.

SENATE RULES SUSPENDED
(Posting Rules)

On motion of Senator Shapiro and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Education might meet and consider the following bills tomorrow: **HB 136, HB 466.**

SENATE RULE 11.10(a) SUSPENDED
(Public Notice of Committee Meetings)

On motion of Senator Watson, on behalf of Senator Jackson, and by unanimous consent, Senate Rule 11.10(a) was suspended in order that the Committee on Nominations might meet today.

AT EASE

The Presiding Officer, Senator Eltife in Chair, at 2:33 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 2:43 p.m. called the Senate to order as In Legislative Session.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 2306**

Senator Williams submitted the following Conference Committee Report:

Austin, Texas
May 19, 2009

Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on **SB 2306** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

WILLIAMS
AVERITT
DAVIS
ELTIFE
HINOJOSA

On the part of the Senate

D. MILLER
BUTTON
LAUBENBERG
MARTINEZ FISCHER
RITTER

On the part of the House

A BILL TO BE ENTITLED
AN ACT

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

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

SECTION 1. Subsection (c), Section 13.131, Water Code, is amended to read as follows:

(c) The commission shall fix proper and adequate rates and methods of depreciation, amortization, or depletion of the several classes of property of each utility and shall require every utility to carry a proper and adequate depreciation account in accordance with those rates and methods and with any other rules the commission prescribes. Rules adopted under this subsection must require the book cost less net salvage of depreciable utility plant retired to be charged in its entirety to the accumulated depreciation account in a manner consistent with accounting treatment of regulated electric and gas utilities in this state. Those rates, methods, and accounts shall be utilized uniformly and consistently throughout the rate-setting and appeal proceedings.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

The Conference Committee Report on **SB 2306** was filed with the Secretary of the Senate.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 2:43 p.m. agreed to adjourn, in memory of Lieutenant Stuart J. Alexander, Arnold Vera of Edinburg, James Franklin "Jim" Warren, and Eleanor Hall Pitcock, upon conclusion of the Local and Uncontested Calendar Session, until 11:00 a.m. tomorrow.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

SR 961 by Nelson, In memory of Peter John Courcy of Frisco.

Congratulatory Resolutions

SR 962 by Shapleigh, Congratulating Paul Strelzin for his induction into the El Paso Athletic Hall of Fame.

SR 963 by Shapleigh, Commending Stephen Adler for his achievements in the practice of law.

SR 964 by Watson, Recognizing the Bureau of Economic Geology at The University of Texas at Austin on the occasion of its 100th anniversary.

SR 965 by Watson, Recognizing Alma Tamayo on the occasion of her retirement from the Office of the Comptroller of Public Accounts.

SR 966 by Watson, Recognizing Art Cory on the occasion of his retirement as director of the Property Tax Assistance Division in the Office of the Comptroller of Public Accounts.

SR 967 by Watson, Recognizing the Austin Amateur Radio Club on the occasion of its 90th anniversary as an affiliate of the American Radio Relay League.

HCR 159 (Watson), Commemorating the 30th anniversary of the creation of the Texas Guaranteed Student Loan Corporation.

Official Designation Resolution

SR 960 by Nelson, Observing May 2009 as American Stroke Month in Texas.

RECESS

On motion of Senator Whitmire, the Senate at 2:46 p.m. recessed until 8:00 a.m. tomorrow for the Local and Uncontested Calendar Session.

APPENDIX

COMMITTEE REPORTS

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

May 20, 2009

ADMINISTRATION — **HB 2502, HB 171, HB 610, HB 1255, HB 1843, HB 2242, HB 2276, HB 2820, HB 3450, HB 3623, HB 3670, CSHB 1462, HB 2697, CSHB 3637**

EDUCATION — **HB 3918, HB 3076**

HEALTH AND HUMAN SERVICES — **HB 3737, HB 2710, HB 2585, HB 1884, HB 1218, HB 583, HB 456**

TRANSPORTATION AND HOMELAND SECURITY — **CSHB 1831**

EDUCATION — **HB 350**

STATE AFFAIRS — **HB 1138 (Amended), HB 1290 (Amended), CSHB 3544, HB 4060 (Amended)**

GOVERNMENT ORGANIZATION — **HB 605, HB 874, HB 1739, HCR 53, HCR 71**

INTERNATIONAL RELATIONS AND TRADE — **HB 1850, HB 4067, HB 4781**

BUSINESS AND COMMERCE — **HB 978, HB 1783, HB 2052, HB 3829**

CRIMINAL JUSTICE — **HB 453, HB 750, HB 796, HB 960, HB 1003, HB 1233, HB 1425, HB 1614, HB 1914, HB 2031, HB 2130, HB 2385, HB 2465, HB 3005, HB 3147, HB 3226, HB 3438, HB 3649, HB 3671, HB 4136, HB 4464, HB 4541**

HIGHER EDUCATION — **SCR 73, HB 1056, HB 2805, HB 2954, HB 2961, HB 3795, HB 4189, HB 4501**

BILLS ENGROSSED

May 19, 2009

SB 1397, SB 1704, SB 2077, SB 2207, SB 2578

BILLS AND RESOLUTIONS ENROLLED

May 19, 2009

SB 37, SB 97, SB 161, SB 381, SB 407, SB 461, SB 495, SB 529, SB 595, SB 663, SB 874, SB 1036, SB 1188, SB 1246, SB 1291, SB 1387, SB 1448, SB 1796, SB 2019, SB 2497, SCR 63, SR 895, SR 950, SR 952, SR 953, SR 954, SR 955, SR 956, SR 957, SR 958, SR 959

SIGNED BY GOVERNOR

May 19, 2009

SB 43, SB 95, SB 293, SB 405, SB 658, SB 659, SB 799, SB 811, SB 836, SB 848, SB 872, SB 914, SB 983, SB 1071, SB 1253, SB 1371, SB 1373, SB 1658, SB 1711, SB 1755, SB 1811, SB 2043, SB 2163

SENT TO GOVERNORMay 20, 2009**SB 37, SB 97, SB 161, SB 381, SB 407, SB 461, SB 495, SB 529, SB 595, SB 663, SB 874, SB 1036, SB 1188, SB 1246, SB 1291, SB 1387, SB 1448, SB 1796, SB 2019, SB 2497, SCR 63****SIGNED BY GOVERNOR**May 20, 2009**SB 45, SB 543, SB 687, SB 828, SB 1054, SB 1442, SB 1540, SB 1838, SB 1969**

In Memory
of
Stuart J. Alexander
Senate Resolution 951

WHEREAS, The Senate of the State of Texas joins the citizens of Corpus Christi in mourning the loss of Stuart J. Alexander, who died March 11, 2009, while serving in the line of duty; and

WHEREAS, Lieutenant Stuart Alexander was born July 22, 1961, to Charles and Barbara Alexander and reared in a military family; he graduated from John Marshall High School in 1979; he enlisted in the United States Army and served from 1979 to 1982, and he completed the Infantry Officer Basic Course as a 2nd lieutenant in 1987; he received numerous commendations and medals during his service to his country; and

WHEREAS, Lieutenant Stuart Alexander joined the Corpus Christi Police Department after graduating from the police academy in 1988; and

WHEREAS, A 20-year veteran in the department, he worked the night shift most of his career and was a member of the Patrol Division; he was appointed to the position of field training officer in 1998 and was promoted to lieutenant in 2000; and

WHEREAS, Lieutenant Alexander was dedicated to his work as a police officer and was respected and admired by his co-workers; the recipient of numerous letters of commendation for his outstanding work, he led by example and was a source of strength to others; he gave his life doing what he loved to do—protecting and serving the public; and

WHEREAS, Stuart Alexander married his wife, Vicky, on August 11, 1989; he was a devout Christian, and he was involved in community service projects; and

WHEREAS, He was known for his love of laughter, his practical jokes, his service in the community, and his devotion to his wonderful family; he was beloved by his family and friends, and he leaves behind memories that will be deeply treasured by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 81st Legislature, hereby extend sincere condolences to the bereaved family of Stuart J. Alexander: his wife, Vicky Jean Alexander; his son, Benjamin J. Alexander; and his grandchildren, Holly, Sadie, and Lukas; and to the men and women of the Corpus Christi Police Department, including "D" Shift and the remaining officers of the 42nd Academy; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate, and that when the Senate adjourns this day, it do so in memory of Stuart Alexander.

HINOJOSA

