

# SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

---

---

AUSTIN, TEXAS

---

---

PROCEEDINGS

---

## EIGHTEENTH DAY

(Monday, February 25, 2013)

The Senate met at 2:11 p.m. pursuant to adjournment and was called to order by President Pro Tempore Van de Putte.

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

Absent-excused: Carona, Davis.

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

Pastor William M. Johnson, Jr., First Baptist Church, Buda, offered the invocation as follows:

Dear heavenly Father, we come before You on this beautiful day that You have created, and we ask Your blessings on this assembly and the work that they are about to undertake. We know that according to Your word, wisdom comes from You, so we ask for Your divine wisdom and guidance as this body undertakes the important decisions of the day. We know that true discernment and truth come from You, for Your Son said, He is the way, the truth, and the life, so we ask that truth would lead this governing body into prosperity for this state and not error. We know that every good and perfect gift is from You, so we ask Your blessings on each one here and their families for their sacrifice and willingness to be Your instruments for good as they lead the great State of Texas. In the name of our holy God, we pray. Amen.

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

The motion prevailed without objection.

## LEAVES OF ABSENCE

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

On motion of Senator Whitmire, Senator Davis was granted leave of absence for today on account of illness.

### MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, February 25, 2013 - 1

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HB 10** Pitts

Relating to making emergency supplemental appropriations and providing direction and transfer authority regarding certain appropriations.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

### PHYSICIAN OF THE DAY

Senator Eltife was recognized and presented Dr. Jonathan MacClements of Tyler as the Physician of the Day.

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

### MESSAGES FROM THE GOVERNOR

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

February 20, 2013

Austin, Texas

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

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

To be members of the Central Colorado River Authority for terms to expire February 1, 2019:

Mathew Gaines  
Coleman, Texas

Bruce Pittard  
Novice, Texas

Andrew Young  
Coleman, Texas

The individuals listed above are being reappointed.

To be members of the Council on Sex Offender Treatment for terms to expire February 1, 2019:

Terri L. Bauer  
Richardson, Texas

Louis Gonzales, III  
Round Rock, Texas

The individuals listed above are being reappointed.

To be the Inspector General for Health and Human Services for a term to expire February 1, 2014:

Douglas C. Wilson  
Pflugerville, Texas

Mr. Wilson is being reappointed.

To be members of the State Board for Educator Certification for terms to expire February 1, 2019:

Laurie Bricker  
Houston, Texas  
(Ms. Bricker is being reappointed)

Sandra D. Bridges  
Rockwall, Texas  
(Ms. Bridges is being reappointed)

Dawn Buckingham  
Lakeway, Texas  
(replacing Homer Trevino of Waco whose term expired)

Jill H. Druesedow  
Haskell, Texas  
(Ms. Druesedow is being reappointed)

To be members of the Texas Board of Professional Land Surveying for terms to expire January 31, 2019:

Jon E. Hodde  
Brenham, Texas  
(Mr. Hodde is being reappointed)

William E. Merten  
Houston, Texas  
(replacing David Smyth, Sr. of Uvalde whose term expired)

Respectfully submitted,  
/s/Rick Perry  
Governor  
February 20, 2013  
Austin, Texas

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

On January 16, 2013, I submitted the name of William F. Scott for appointment to the Jefferson and Orange County Board of Pilot Commissioners for a term to expire August 22, 2013.

Because he resigned, I hereby withdraw his nomination and request that the Senate return the appointment to me.

Respectfully submitted,  
/s/Rick Perry  
Governor  
February 21, 2013  
Austin, Texas

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

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

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

Ernest Aliseda  
McAllen, Texas  
(replacing James Dannenbaum of Houston whose term expired)

Paul L. Foster  
El Paso, Texas  
(Mr. Foster is being reappointed)

Jeffery D. Hildebrand  
Houston, Texas  
(replacing Printice Gary of Dallas whose term expired)

Respectfully submitted,  
/s/Rick Perry  
Governor

February 25, 2013  
Austin, Texas

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

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

To be Judge of the 36th Judicial District Court, Aransas, Bee, Live Oak, McMullen and San Patricio Counties, for a term until the next General Election and until her successor shall be duly elected and qualified:

Starr B. Bauer  
Beeville, Texas

Ms. Bauer is replacing Judge Michael Welborn who resigned.

To be members of the Board of Pardons and Paroles for terms to expire February 1, 2019:

Romulo "Roman" Chavez  
Spring, Texas  
(replacing Thomas Leeper of Huntsville whose term expired)

Cynthia Tauss  
League City, Texas  
(replacing Conrith Davis of Sugar Land whose term expired)

To be members of the Texas State Board of Acupuncture Examiners for terms to expire as indicated:

To Expire January 31, 2017:

Jingyu Gu  
Austin, Texas  
(replacing Chung-Hwei Chernly of Hurst whose term expired)

To Expire January 31, 2019:

Rodrigo Ceballos  
El Paso, Texas  
(replacing Terry Rascoe of Temple whose term expired)

Allen Cline  
Austin, Texas  
(Mr. Cline is being reappointed)

Rachelle Webb  
Austin, Texas  
(Ms. Webb is being reappointed)

Respectfully submitted,  
/s/Rick Perry  
Governor

**SENATE RESOLUTION 303**

Senator Ellis offered the following resolution:

**SR 303**, Recognizing February 25, 2013, as Texas Southern University Day at the State Capitol.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Ellis was recognized and introduced to the Senate a Texas Southern University delegation, accompanied by John Rudley, President; Marilyn Rose; and Sunny Ohia.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Huffman was recognized and introduced to the Senate students from St. John's School in Houston.

The Senate welcomed its guests.

**SENATE RESOLUTION 209**

Senator Watson offered the following resolution:

**SR 209**, Recognizing Jesse L. "Jack" and Kathleen McCrady of Austin on the occasion of their 70th wedding anniversary.

The resolution was again read.

The resolution was previously adopted on Wednesday, February 13, 2013.

**GUESTS PRESENTED**

Senator Watson was recognized and introduced to the Senate Jesse L. "Jack" and Kathleen Holland McCrady.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Uresti was recognized and introduced to the Senate a Crockett County delegation.

The Senate welcomed its guests.

**GUESTS PRESENTED**

Senator Estes was recognized and introduced to the Senate his sister, Emily Estes, and her husband, Roy McAlpine, of Hartford, Connecticut.

The Senate welcomed its guests.

**SENATE RESOLUTION 299**

Senator Williams offered the following resolution:

**SR 299**, Recognizing the 2012 Team Texas Youth Baseball Team.

**(Senator Eltife in Chair)**

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Williams was recognized and introduced to the Senate Team Texas Youth Baseball team members from Houston, Huffman, Kingwood, Liberty, Plainview, and Porter.

The Senate welcomed its guests.

**SENATE RESOLUTION 282**

Senator Van de Putte offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Saint Mary's University for its legacy of outstanding service to the City of San Antonio and our state; and

WHEREAS, A close-knit academic and spiritual community, Saint Mary's University offers a 13-to-one student-to-faculty ratio with numerous Fulbright scholars, Piper professors, and other engaged faculty members coming together to create an exceptional educational experience; and

WHEREAS, Saint Mary's University has produced more than 300 elected officials, who have served both this state and this nation with distinction; and

WHEREAS, The Carnegie Foundation has granted Saint Mary's University its prestigious Community Engagement Classification in recognition of the university's mission-driven focus on academic excellence, community service, and civic engagement; and

WHEREAS, Saint Mary's University has been nationally acclaimed for promoting an ethic of service to country, fostering scientific and humanistic research, and performing as an engine of social mobility; and

WHEREAS, More than 70 percent of the university's students participate in community service activities, and Saint Mary's University has been listed as a College That Builds Character by the John Templeton Foundation and as one of the nation's top Colleges with a Conscience by the Princeton Review and Campus Compact; and

WHEREAS, Saint Mary's University has been home to 167 All-American Scholar athletes, and it has won five national championships in athletic competition; and

WHEREAS, Saint Mary's University graduates have historically been accepted to medical and dental schools at rates far exceeding the national average; the combination of academic, athletic, and community excellence has truly established Saint Mary's University as a leader in the field of higher education; and

WHEREAS, The appointment of Thomas M. Mengler as the university's 13th president last year underscores this tradition of excellence; an accomplished judicial scholar, Mr. Mengler previously served as dean of the University of Saint Thomas School of Law in Minneapolis from 2002 to 2012; before that, he was dean of the College of Law at the University of Illinois, where he also served as interim provost and vice chancellor for academic affairs; Mr. Mengler earned his law degree from The University of Texas at Austin; and

WHEREAS, Mr. Mengler brings a wealth of experience to the position of president at Saint Mary's University, and he is committed to building on the foundations of academic quality, faith, and service that are the hallmarks of this exemplary institution; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend the students, faculty, administration, and staff of Saint Mary's University for their many outstanding contributions to our state and nation; and, be it further

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

VAN DE PUTTE  
CAMPBELL  
URESTI  
ZAFFIRINI

**SR 282** was read and was adopted without objection.

### GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate a Saint Mary's University delegation, accompanied by Tom Mengler, President, and David Courreges, Board of Trustees member and Law Alumni Association Immediate Past President.

The Senate welcomed its guests.

### SENATE RESOLUTION 297

Senator Watson offered the following resolution:

**SR 297**, In memory of James Larance Hill.

On motion of Senator Watson, the resolution was read and was adopted by a rising vote of the Senate.

In honor of the memory of James Larance Hill, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Watson was recognized and introduced to the Senate family members of James Larance Hill: his widow, Geraldine Hill; his daughter, Jacqueline Hill Howard; and his son-in-law, Charles Howard.

The Senate welcomed its guests and extended its sympathy.

### GUESTS PRESENTED

Senator Hegar was recognized and introduced to the Senate a Prairie View A&M University delegation, accompanied by George C. Wright, President.

The Senate welcomed its guests.

### SENATE RESOLUTION 292

Senator West offered the following resolution:

**SR 292**, Welcoming the members of The Links, Incorporated, as they celebrate The Links Day at the State Capitol.

The resolution was read and was adopted without objection.



**GUESTS PRESENTED**

Senator West was recognized and introduced to the Senate a delegation from The Links, Incorporated, accompanied by Theresa B. Lyons, Western Area Chair, Legislative Issues and Public Affairs Committee, Fort Worth Chapter; Roslyn T. Goodall, Chapter Chair, Legislative Issues and Public Affairs Committee, Mid-Cities Chapter; Sandra D. Malone, 14th Western Area Director, National Chair, Chapter Establishment, Dallas Chapter; Susie A. Bell, Chapter Chair, Fundraising, Plano North Metroplex Chapter; and Chrystle Swain, Facet Chair, International Trends and Services, Austin Chapter.

Senator West also introduced to the Senate family members of H. B. Bell: his widow, Susie Bell, and his daughter, Diedrae Bell-Hunter.

The Senate welcomed its guests.

**SENATE RESOLUTION 275**

Senator West offered the following resolution:

**SR 275**, Recognizing February 25, 2013, as Alpha Kappa Alpha South Central Region Day at the State Capitol.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator West was recognized and introduced to the Senate an Alpha Kappa Alpha, Incorporated, delegation, accompanied by Chelle Wilson, South Central Regional Director; Patricia Webb, International Program Committee Representative; Mina La Grange, Southwest Central Texas Cluster Coordinator; Deralyn Riles Davis, 14th South Central Regional Past Director; and Wilhelmina Delco, member and former State Representative.

The Senate welcomed its guests.

**SENATE RESOLUTION 295**

Senator Deuell offered the following resolution:

**SR 295**, Recognizing February 25, 2013, as Rockwall County Day at the State Capitol.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Deuell was recognized and introduced to the Senate a Rockwall County delegation.

The Senate welcomed its guests.

**SENATE BILL ON FIRST READING**

The following bill was introduced, read first time, and referred to the committee indicated:

**SB 758** by Williams

Relating to the established schedule of payments from the foundation school fund of the yearly entitlement of certain school districts.

To Committee on Finance.

**HOUSE BILL ON FIRST READING**

The following bill received from the House was read first time and referred to the committee indicated:

**HB 10** to Committee on Finance.

**INTRODUCTION OF  
BILLS AND RESOLUTIONS POSTPONED**

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

There was no objection.

**SENATE RULES SUSPENDED  
(Posting Rules)**

On motion of Senator Williams and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet and consider the following bills tomorrow: **SB 758**, **HB 10**.

**MOTION TO ADJOURN**

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:22 p.m. agreed to adjourn, in memory of James Larance Hill and H. B. Bell, upon completion of the introduction of bills and resolutions on first reading, until 11:00 a.m. tomorrow.

**SENATE BILLS ON FIRST READING**

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

**SB 15** by Seliger, Deuell, Duncan, Ellis, Eltife, Nelson, Watson, West, Whitmire, Zaffirini

Relating to the duties and responsibilities of members of governing boards of university systems and institutions of higher education.

To Committee on Higher Education.

**SB 201** by Birdwell, Nichols

Relating to the continuation and functions of the State Preservation Board.

To Committee on Administration.

**SB 202** by Huffman, Nichols

Relating to the continuation and functions of the Texas Commission on the Arts.

To Committee on Government Organization.

**SB 203** by Whitmire, Ellis, Huffman, Nichols, Patrick

Relating to the Port of Houston Authority; creating an offense.

To Committee on Transportation.

**SB 204** by Nichols

Relating to the continuation and functions of the Texas Board of Professional Engineers; changing a fee.

To Committee on Business and Commerce.

**SB 205** by Nichols

Relating to the continuation and functions of the Texas Board of Architectural Examiners; changing certain fees.

To Committee on Business and Commerce.

**SB 206** by Nichols

Relating to the continuation and functions of the Public Utility Commission of Texas, to the transfer of certain functions from the Texas Commission on Environmental Quality to the Public Utility Commission of Texas, and to the functions of the Office of Public Utility Counsel; authorizing a fee.

To Committee on Business and Commerce.

**SB 207** by Nichols

Relating to governmental entities subject to the sunset review process.

To Committee on Transportation.

**SB 591** by Van de Putte

Relating to procedures for certain audits of pharmacists and pharmacies.

To Committee on State Affairs.

**SB 592** by Ellis

Relating to caseloads for attorneys who are appointed to represent indigent defendants in criminal cases.

To Committee on Criminal Justice.

**SB 593** by Deuell

Relating to the authority of a property owners' association to regulate the use of certain lots for residential purposes.

To Committee on Intergovernmental Relations.

**SB 594** by Deuell

Relating to exempting the first \$1 million from total revenue for purposes of the franchise tax.

To Committee on Finance.

**SB 595** by Hegar

Relating to the power of the North Fort Bend Water Authority to impose a charge on certain wells or classes of wells.

To Committee on Natural Resources.

**SB 596** by Birdwell

Relating to the application process for certain alcoholic beverage permits and licenses and the provision of alcoholic beverages on certain premises.

To Committee on Business and Commerce.

**SB 597** by Birdwell, Uresti

Relating to the issuance of specialty license plates for certain Operation Enduring Freedom veterans.

To Committee on Transportation.

**SB 598** by Birdwell

Relating to restrictions on holders of package store permits.

To Committee on Business and Commerce.

**SB 599** by Davis

Relating to the requirement that electric utilities offer a standard retail service package on a standard form with standard terms to a customer.

To Committee on Business and Commerce.

**SB 600** by Davis

Relating to premium refunds for insurance rates found to be excessive or unfairly discriminatory; providing an administrative penalty.

To Committee on Business and Commerce.

**SB 601** by Davis

Relating to the availability of certain payment plans for residential electric customers.

To Committee on Business and Commerce.

**SB 602** by Davis

Relating to retail electric provider customer choice information.

To Committee on Business and Commerce.

**SB 603** by Williams

Relating to the revocation and reinstatement of an end user number for purposes of purchasing dyed diesel fuel.

To Committee on Finance.

**SB 604** by Hegar

Relating to the powers and duties of the Harris County Municipal Utility District No. 458; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

**SB 605** by Hegar

Relating to the creation of the Fort Bend County Improvement District No. 24; providing authority to impose an assessment, impose a tax, and issue bonds.

To Committee on Intergovernmental Relations.

**SB 606** by Hegar

Relating to the powers and duties of the Harris County Municipal Utility District No. 457; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

**SB 608** by Hegar

Relating to the creation of the Harris-Waller Counties Municipal Utility District No. 3; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Committee on Intergovernmental Relations.

**SB 609** by Hegar

Relating to the creation of the Waller County Municipal Utility District No. 17; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

To Committee on Intergovernmental Relations.

**SB 610** by Hegar

Relating to the powers and duties of the Harris County Municipal Utility District No. 477; providing authority to impose a tax and issue bonds.

To Committee on Intergovernmental Relations.

**SB 611** by Lucio

Relating to the irrigation powers and functions of certain water districts.

To Committee on Natural Resources.

**SB 612** by Lucio

Relating to a drug testing requirement for candidates for certain public elective offices.

To Committee on State Affairs.

**SB 613** by Lucio

Relating to school district drug abuse prevention policies for classroom teachers.

To Committee on Education.

**SB 614** by Lucio

Relating to an electric utility surcharge to assist owners of certain historic structures with electric bill payments and to promote energy conservation and efficiency.

To Committee on Business and Commerce.

**SB 615** by Estes

Relating to the contracting authority of the Texas Historical Commission.

To Committee on Government Organization.

**SB 616** by Carona

Relating to the prosecution of and the punishment for the offense of burglary committed while evading arrest or detention.

To Committee on Criminal Justice.

**SB 617** by Carona

Relating to the regulation of energy efficiency professionals; providing penalties; authorizing a fee.

To Committee on Business and Commerce.

**SB 618** by Carona

Relating to the elimination of the licensing and registration requirements for ringside physicians and timekeepers for combative sports events.

To Committee on Business and Commerce.

**SB 619** by Taylor

Relating to exclusion of land from certain water districts that fail to provide service to the land.

To Committee on Natural Resources.

**SB 620** by Van de Putte

Relating to student loan repayment assistance for speech-language pathologists or audiologists employed by a public school or as faculty members of certain graduate programs at public institutions of higher education.

To Committee on Higher Education.

**SB 621** by Williams

Relating to the creation of the Montgomery County Municipal Utility District No. 140; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

**SB 622** by Williams

Relating to the creation of the Montgomery County Municipal Utility District No. 106; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

**SB 623** by Williams

Relating to the creation of the Montgomery County Municipal Utility District No. 138; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

**SB 624** by Williams

Relating to the creation of the Montgomery County Municipal Utility District No. 137; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

**SB 625** by Williams

Relating to the creation of the Montgomery County Municipal Utility District No. 139; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

To Committee on Intergovernmental Relations.

**SB 626** by Watson

Relating to fees collected by the Automobile Burglary and Theft Prevention Authority.

To Committee on Finance.

**SB 627** by Watson

Relating to the form of the Legislative Budget Board's report of equalized funding elements to the commissioner of education and the legislature.

To Committee on Finance.

**SB 628** by Watson

Relating to the creation of regional emergency communications districts; authorizing the issuance of bonds; authorizing a fee.

To Committee on Intergovernmental Relations.

**SB 629** by Watson

Relating to authorizing the issuance of revenue bonds for The University of Texas at Austin.

To Committee on Finance.

**SB 630** by Carona

Relating to certain obligations of and limitations on residential landlords.

To Committee on Business and Commerce.

**SB 631** by Carona

Relating to certain statutory insurance deposit requirements.

To Committee on Business and Commerce.

**SB 632** by Carona

Relating to contracts between dentists, optometrists, or therapeutic optometrists and health maintenance organizations or insurers.

To Committee on State Affairs.

**SB 633** by Ellis, Patrick

Relating to liability of certain electric utilities that allow certain uses of land that the electric utility owns, occupies, or leases.

To Committee on State Affairs.

**SB 634** by Davis

Relating to regulating faulty on-site sewage disposal systems in the unincorporated areas of a county as a public nuisance; providing a criminal penalty.

To Committee on Intergovernmental Relations.

**SB 635** by Duncan

Relating to the distribution of certain civil penalties and civil restitution received by the attorney general.

To Committee on State Affairs.

**SB 636** by Paxton

Relating to public information regarding bonds and other obligations issued by the state and local governments.

To Committee on Open Government.

**SB 637** by Paxton

Relating to notice and proposition language requirements for bond approval elections held by political subdivisions.

To Committee on Intergovernmental Relations.

**SB 638** by Paxton

Relating to performance and payment security for certain comprehensive development agreements.

To Committee on Transportation.

**SB 639** by Carona

Relating to the manufacture, distribution, and sale of alcoholic beverages.

To Committee on Business and Commerce.

**SB 640** by Van de Putte

Relating to the designation of a regular location for purposes of obtaining transportation to and from a child's public school.

To Committee on Education.

**SB 641** by Duncan

Relating to the election and authority of the board of directors of the McCulloch County Hospital District.

To Committee on Intergovernmental Relations.

**SB 642** by Van de Putte

Relating to the sale of distilled spirits to the holder of an industrial permit.

To Committee on Business and Commerce.

**SB 643** by Deuell

Relating to a supplemental payment for retirees of the Teacher Retirement System of Texas and the unfunded actuarial liabilities allowed under that system.

To Committee on State Affairs.

**SB 644** by Huffman

Relating to the creation of a standard request form for prior authorization of prescription drug benefits.

To Committee on State Affairs.

**SB 645** by Ellis

Relating to water quality improvement and pollution reduction through beverage container recycling incentives; assessing a fee; providing penalties.

To Committee on Finance.

**SB 646** by Deuell

Relating to court-ordered outpatient mental health services.

To Committee on Health and Human Services.

**SB 647** by Rodríguez

Relating to guardianships, including the assessment and payment of attorney's fees and other court costs in guardianships, and to court-created management trusts for persons who have physical disabilities or who are incapacitated.

To Committee on Jurisprudence.

**SB 648** by Rodríguez

Relating to trusts.

To Committee on Jurisprudence.

**SB 649** by Rodríguez

Relating to the exemption of certain property from seizure by creditors.

To Committee on Business and Commerce.

**SB 650** by Rodríguez

Relating to the continuation of title insurance coverage of certain transferred property.

To Committee on Business and Commerce.



**SB 651** by Rodríguez

Relating to a medical power of attorney.  
To Committee on Jurisprudence.

**SB 652** by Van de Putte

Relating to the transfer of alcoholic beverages for manufacturing purposes between certain permit and license holders.  
To Committee on Business and Commerce.

**SB 653** by Zaffirini

Relating to the composition and functions of the Texas Guaranteed Student Loan Corporation.  
To Committee on Higher Education.

**SB 654** by West

Relating to the enforcement of water conservation and animal care and control ordinances of a municipality by civil action or quasi-judicial enforcement; providing civil penalties.  
To Committee on Intergovernmental Relations.

**SB 655** by Birdwell

Relating to the exercise of the power of eminent domain by certain authorized entities.  
To Committee on State Affairs.

**SB 656** by Paxton

Relating to providing transparency in the taxing and budgeting process of certain local governments.  
To Committee on Open Government.

**SB 657** by Paxton

Relating to procedural requirements for adopting and filing a school district budget and voting requirements for setting a property tax rate by the governing body of a taxing unit, including a school district.  
To Committee on Finance.

**SB 658** by Deuell

Relating to the imposition and collection of a penalty for fraudulently obtaining unemployment compensation benefits.  
To Committee on Economic Development.

**SB 659** by West

Relating to debarment of certain persons from participating in programs administered by the Texas Department of Housing and Community Affairs.  
To Committee on Intergovernmental Relations.

**SB 660** by West

Relating to assessment collection in certain public improvement districts.  
To Committee on Intergovernmental Relations.

**SB 661** by Carona

Relating to cemeteries and perpetual care cemetery corporations; creating an offense.  
To Committee on Business and Commerce.

**SB 662** by Carona

Relating to the composition of the drought preparedness council.  
To Committee on Natural Resources.

**SB 663** by Davis

Relating to the amount of unclaimed lottery prize money to be deposited in the fund for veterans' assistance.  
To Committee on State Affairs.

**SB 664** by Davis, Campbell, Van de Putte

Relating to the allocation of certain grants from the fund for veterans' assistance.  
To Committee on Veteran Affairs and Military Installations.

**SB 665** by Nichols, Patrick

Relating to a school district's recognition of and education regarding traditional winter celebrations.  
To Committee on Education.

**SB 666** by Seliger

Relating to public school educator preparation and alternative certification programs.  
To Committee on Education.

**SB 667** by Seliger

Relating to a study on the feasibility of requiring certain researchers to make research papers available to the public.  
To Committee on Open Government.

**SB 668** by Seliger

Relating to the reports and recommendations of the Water Conservation Advisory Council.  
To Committee on Natural Resources.

**SB 669** by Whitmire

Relating to the manner in which a bail bond or personal bond is forfeited and circumstances under which a final judgment of forfeiture may be reformed.  
To Committee on Criminal Justice.

**SB 670** by Whitmire

Relating to the copying of certain records and files relating to a child who is a party to a juvenile proceeding.  
To Committee on Criminal Justice.

**SB 671** by Carona

Relating to the deregulation of weather modification operations.  
To Committee on Agriculture, Rural Affairs and Homeland Security.

**SB 672** by Carona

Relating to the regulation of industrialized housing and buildings.  
To Committee on Business and Commerce.

**SB 673** by Carona

Relating to the requirements for elevators, escalators, and related equipment; providing penalties.

To Committee on Business and Commerce.

**SB 674** by Seliger

Relating to election through secret ballot of a labor union as the exclusive bargaining representative.

To Committee on State Affairs.

**SB 675** by Hancock

Relating to certain advance directives and health care and treatment decisions.

To Committee on Health and Human Services.

**SB 676** by Carona

Relating to the classification of certain construction workers and the eligibility of those workers for unemployment benefits; providing penalties.

To Committee on Economic Development.

**SB 677** by Paxton, Estes

Relating to the electronic recording of proceedings in a statutory probate court in Collin County.

To Committee on Jurisprudence.

**SB 678** by Paxton

Relating to money allocated under the federal-aid highway program.

To Committee on Finance.

**SB 679** by Duncan

Relating to evidence in a civil action concerning the provision and cost of certain services.

To Committee on State Affairs.

**SB 680** by West

Relating to a pilot program to improve student loan default rates and financial aid literacy among postsecondary students.

To Committee on Higher Education.

**SB 681** by West

Relating to a pilot program for a three-year high school diploma plan and cost-neutral expansion of full-day prekindergarten programs.

To Committee on Education.

**SB 682** by Campbell

Relating to reimbursement for services provided by advanced practice nurses and physician assistants under the Medicaid program.

To Committee on Health and Human Services.

**SB 683** by Birdwell

Relating to the election of members of the board of directors of the Benbrook Water Authority.

To Committee on Natural Resources.

**SB 684** by Deuell

Relating to a physical assessment of students by a public school.  
To Committee on Education.

**SB 685** by Carona

Relating to the registration of token trailers.  
To Committee on Transportation.

**SB 686** by Huffman

Relating to the change of the name of the Commission on Law Enforcement Officer Standards and Education to the Texas Commission on Law Enforcement.  
To Committee on Criminal Justice.

**SB 687** by Huffman

Relating to certain fees associated with the installation and monitoring of an ethyl alcohol testing device as a condition of bond.  
To Committee on Criminal Justice.

**SB 688** by Huffman

Relating to the transfer of certain inmates to the Texas Department of Criminal Justice following pronouncement of the inmate's sentence.  
To Committee on Criminal Justice.

**SB 689** by Ellis

Relating to excluding certain short-term employment from unemployment compensation chargebacks and grounds for benefit disqualification.  
To Committee on Economic Development.

**SB 690** by Ellis

Relating to the creation of Harris County Improvement District No. 23; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
To Committee on Intergovernmental Relations.

**SB 691** by Eltife

Relating to an intercollegiate athletics fee at Texas A&M University–Texarkana.  
To Committee on Higher Education.

**SB 692** by Carona

Relating to the filing by electronic mail of financial disclosures by certain county officers, county employees, or candidates for county office.  
To Committee on State Affairs.

**SB 693** by Carona

Relating to clarifying liability and damages for certain liens placed on and certain court records of real property.  
To Committee on State Affairs.

**SB 694** by Carona

Relating to the authority of the Texas Forensic Science Commission to conduct investigations of forensic analyses conducted in connection with a civil proceeding.  
To Committee on State Affairs.

**SB 695** by Campbell

Relating to the application of foreign laws and foreign forum selection in this state.  
To Committee on State Affairs.

**SB 696** by Duncan

Relating to the board of the Lubbock Reese Development Authority.  
To Committee on Intergovernmental Relations.

**SB 697** by Carona

Relating to the qualifications of certain nonresident individuals to hold a surplus lines agent license.  
To Committee on Business and Commerce.

**SB 698** by Carona

Relating to the refund of unearned premium for a personal automobile or residential property insurance policy.  
To Committee on Business and Commerce.

**SB 699** by Carona

Relating to the contents of an assumed name certificate filed by certain businesses or professionals.  
To Committee on Business and Commerce.

**SB 700** by Hegar

Relating to energy and water management planning and reporting by state agencies and institutions of higher education.  
To Committee on Government Organization.

**SB 701** by Hegar

Relating to a defense to prosecution for criminal trespass.  
To Committee on Criminal Justice.

**SB 702** by Hegar

Relating to certified and insured prescribed burn managers.  
To Committee on Natural Resources.

**SB 703** by Taylor

Relating to the powers and duties of the Brazoria County Municipal Utility District No. 39; providing authority to impose a tax or fee and issue bonds.  
To Committee on Intergovernmental Relations.

**SB 704** by Taylor

Relating to the powers and duties of the Brazoria County Municipal Utility District No. 35; providing authority to impose a tax or fee and issue bonds.  
To Committee on Intergovernmental Relations.

**SB 705** by Taylor

Relating to the powers and duties of the Brazoria County Municipal Utility District No. 40; providing authority to impose taxes and fees and issue bonds.  
To Committee on Intergovernmental Relations.

**SB 707** by Paxton

Relating to the definition of intoxicated for purposes of certain weapons offenses.  
To Committee on Criminal Justice.

**SB 708** by Paxton

Relating to the designation of a segment of U.S. Highway 75 in Collin County as the Sam Johnson Highway.  
To Committee on Transportation.

**SB 709** by Lucio

Relating to representation of a person in a special education impartial due process hearing.  
To Committee on Education.

**SB 710** by Lucio

Relating to professional development institutes regarding education of students with disabilities to serve as a resource for public school teachers and paraprofessionals.  
To Committee on Education.

**SB 711** by Lucio

Relating to a postponement for certain recent immigrants of requirements for enrolling in public school courses for which end-of-course assessment instruments are administered.  
To Committee on Education.

**SB 712** by Lucio

Relating to the financing of school district facilities and property tax relief for school district debt; providing for reduced property tax rates.  
To Committee on Finance.

**SB 713** by Lucio

Relating to the employment of certified counselors by school districts.  
To Committee on Education.

**SB 714** by Lucio

Relating to access to birth records of certain adopted children.  
To Committee on Jurisprudence.

**SB 715** by Lucio

Relating to use of consistent terminology to refer to school counselors in the Education Code.  
To Committee on Education.

**SB 716** by Lucio

Relating to the use of public school counselors' work time.  
To Committee on Education.

**SB 717** by West

Relating to consent by a minor to housing or care provided through a transitional living program.  
To Committee on Jurisprudence.

**SB 718** by West

Relating to voluntary and involuntary mental health services.  
To Committee on Health and Human Services.

**SB 719** by West

Relating to fees charged by certain entities administering alternative dispute resolution systems for counties.  
To Committee on Jurisprudence.

**SB 720** by Ellis

Relating to jury instructions regarding the insanity defense in a criminal case.  
To Committee on Criminal Justice.

**SB 721** by Ellis

Relating to the insanity defense in a criminal case.  
To Committee on Criminal Justice.

**SB 722** by Ellis

Relating to eligibility to serve as an interpreter in an election.  
To Committee on State Affairs.

**SB 723** by Taylor

Relating to the location of certain public sales of real property.  
To Committee on Business and Commerce.

**SB 724** by Williams

Relating to the creation of the Montgomery County Municipal Utility District No. 133; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
To Committee on Intergovernmental Relations.

**SB 725** by Williams

Relating to the creation of the Montgomery County Municipal Utility District No. 134; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.  
To Committee on Intergovernmental Relations.

**SB 726** by Paxton

Relating to authorization by the Texas Higher Education Coordinating Board for certain public junior colleges to offer baccalaureate degree programs.  
To Committee on Higher Education.

**SB 727** by Taylor

Relating to the eligibility for judge-ordered community supervision or for release on parole of certain defendants convicted of burglary with the intent to commit a sex offense.  
To Committee on Criminal Justice.

**SB 728** by Davis

Relating to the notification of certain legislators of the death of a child in foster care.  
To Committee on Health and Human Services.

**SB 729** by Rodríguez

Relating to the creation of the State Supported Living Center Realignment Commission.

To Committee on Health and Human Services.

**SB 730** by Deuell

Relating to the temporary exemption of certain tangible personal property related to data centers from the sales and use tax.

To Committee on Finance.

**SB 731** by Huffman

Relating to the penalties for the production or delivery of marihuana plants.

To Committee on Criminal Justice.

**SB 732** by Eltife

Relating to the Certified Retirement Community Program.

To Committee on Economic Development.

**SB 733** by Carona

Relating to the Texas Automobile Insurance Plan Association.

To Committee on Business and Commerce.

**SB 734** by Carona

Relating to the licensing of captive insurance companies; authorizing fees.

To Committee on Business and Commerce.

**SB 735** by Lucio

Relating to using the system benefit fund for the support of certain programs for low-income electric customers.

To Committee on Finance.

**SB 736** by Watson

Relating to insurance rating and underwriting practices and declinations based on certain consumer inquiries.

To Committee on Business and Commerce.

**SB 737** by Watson

Relating to student loan repayment assistance for certain child protective services workers.

To Committee on Health and Human Services.

**SB 738** by Watson

Relating to the establishment and administration of the Texas Essential Workers Program; imposing fees.

To Committee on Economic Development.

**CO-AUTHOR OF SENATE BILL 24**

On motion of Senator Hinojosa, Senator Campbell will be shown as Co-author of **SB 24**.



**CO-AUTHOR OF SENATE BILL 28**

On motion of Senator Zaffirini, Senator Rodríguez will be shown as Co-author of **SB 28**.

**CO-AUTHOR OF SENATE BILL 42**

On motion of Senator Zaffirini, Senator Lucio will be shown as Co-author of **SB 42**.

**CO-AUTHOR OF SENATE BILL 86**

On motion of Senator Ellis, Senator Rodríguez will be shown as Co-author of **SB 86**.

**CO-AUTHOR OF SENATE BILL 89**

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

**CO-AUTHOR OF SENATE BILL 151**

On motion of Senator Nelson, Senator Eltife will be shown as Co-author of **SB 151**.

**CO-AUTHOR OF SENATE BILL 248**

On motion of Senator Davis, Senator Watson will be shown as Co-author of **SB 248**.

**CO-AUTHOR OF SENATE BILL 498**

On motion of Senator Seliger, Senator Hinojosa will be shown as Co-author of **SB 498**.

**CO-AUTHORS OF SENATE BILL 515**

On motion of Senator Eltife, Senators Deuell and Hancock will be shown as Co-authors of **SB 515**.

**CO-AUTHORS OF SENATE BILL 516**

On motion of Senator Eltife, Senators Deuell and Hancock will be shown as Co-authors of **SB 516**.

**CO-AUTHORS OF SENATE BILL 517**

On motion of Senator Eltife, Senators Deuell and Hancock will be shown as Co-authors of **SB 517**.

**CO-AUTHORS OF SENATE BILL 518**

On motion of Senator Eltife, Senators Deuell and Hancock will be shown as Co-authors of **SB 518**.

**CO-AUTHOR OF SENATE BILL 549**

On motion of Senator Williams, Senator Estes will be shown as Co-author of **SB 549**.

**CO-AUTHORS OF SENATE BILL 565**

On motion of Senator Ellis, Senators Rodríguez and Watson will be shown as Co-authors of **SB 565**.

**CO-AUTHOR OF SENATE BILL 580**

On motion of Senator Rodríguez, Senator Deuell will be shown as Co-author of **SB 580**.

**CO-AUTHOR OF SENATE BILL 663**

On motion of Senator Davis, Senator Van de Putte will be shown as Co-author of **SB 663**.

**CO-AUTHOR OF SENATE BILL 686**

On motion of Senator Huffman, Senator Hegar will be shown as Co-author of **SB 686**.

**CO-AUTHOR OF SENATE BILL 729**

On motion of Senator Rodríguez, Senator Deuell will be shown as Co-author of **SB 729**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 271** by Davis, In memory of O. J. Blakey.

**SR 289** by Ellis, In memory of Sue Smith.

**SR 294** by Ellis, In memory of Michael Hardee Driscoll of Harris County.

**SR 300** by Williams, In memory of Harold Cryar of Conroe.

**SR 301** by Estes, In memory of Gayla Dawn Morris of Wichita Falls and Clay County.

**Congratulatory Resolutions**

**SR 268** by West, Recognizing Delta Sigma Theta Sorority, Incorporated, on the occasion of its 100th anniversary.

**SR 270** by Davis, Recognizing the Tarrant County College District's Trinity River Campus East for being named one of the best buildings to see in Texas.

**SR 273** by Ellis, Recognizing India House Houston on the occasion of the center's fundraising gala.

**SR 276** by Whitmire, Recognizing Northwest Preparatory Academy Charter School in Humble as it hosts its annual black history program.

**SR 277** by Watson, Recognizing McBride's Guns in Austin for receiving the Texas Treasure Business Award.

**SR 280** by Van de Putte, Recognizing Margaret Moran for her service as national president of the League of United Latin American Citizens.

**SR 283** by West, Recognizing Mary Lynn Morris on the occasion of her retirement as City Marshal of Dallas.

**SR 285** by Birdwell, Recognizing the Texas Heroes Foundation on the occasion of its Texas Independence Day Celebration.

**SR 288** by Ellis, Recognizing Macedonia Missionary Baptist Church in Houston on the occasion of its Official Texas Historical Marker dedication ceremony.

**SR 290** by Lucio, Commending Theodore Travis Green for achieving the rank of Eagle Scout.

**SR 291** by Lucio, Commending Victor Gavin De Leon for achieving the rank of Eagle Scout.

**SR 298** by Schwertner, Recognizing Dick and Maxine Anderson of Georgetown on the occasion of their 60th wedding anniversary.

**SR 302** by Ellis, Recognizing L. David Punch on the occasion of his 10th anniversary as pastor of the Greater Zion Missionary Baptist Church in Houston.

**SR 306** by Schwertner, Recognizing the members of the United States Navy Armed Guard for their service to this nation.

**SR 307** by Eltife, Recognizing Bill Hankins on the occasion of his retirement from the newspaper industry.

#### **Official Designation Resolutions**

**SR 259** by West, Recognizing February 25, 2013, as The Links, Incorporated, Day at the State Capitol.

**SR 269** by West, Proclaiming February 23, 2013, National Trio Day in Texas.

**SR 272** by Van de Putte, Observing February 25, 2013, as Anti-Human Trafficking Day at the Capitol.

**SR 279** by Nelson, Recognizing March of 2013 as Professional Social Work Month.

**SR 284** by Nelson, Celebrating February 26, 2013, as Emergency Medical Services, Trauma, and Acute Care Advocacy Day at the State Capitol.

**SR 287** by Campbell, Recognizing February 28, 2013, as Rare Disease Day.

**SR 308** by Hegar, Celebrating February 26, 2013, as Texas FFA Day at the Capitol.

**SR 309** by Hegar, Celebrating March 5, 2013, as Port Aransas Day at the State Capitol.

**(Senator Whitmire in Chair)**

#### **ADJOURNMENT**

Pursuant to a previously adopted motion, the Senate at 3:43 p.m. adjourned, in memory of James Larance Hill and H. B. Bell, until 11:00 a.m. tomorrow.

---

**APPENDIX**

---

**COMMITTEE REPORTS**

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

February 25, 2013

ECONOMIC DEVELOPMENT — **SB 169, SB 398, SB 412**

JURISPRUDENCE — **CSSB 389**

GOVERNMENT ORGANIZATION — **SB 116, CSSB 111, CSSB 283**

EDUCATION — **CSSB 3, CSSB 306**

GOVERNMENT ORGANIZATION — **CSSB 328**

NATURAL RESOURCES — **CSSB 364**

**RESOLUTIONS ENROLLED**

February 20, 2013

**SR 221, SR 222, SR 231, SR 250, SR 251, SR 252, SR 253, SR 254, SR 256, SR 257, SR 258, SR 261, SR 262, SR 263, SR 264, SR 266**

**In Memory**  
**of**  
**James Larance Hill**  
**Senate Resolution 297**

WHEREAS, The Senate of the State of Texas joins citizens of Austin in mourning the loss of Dr. James Larance Hill, who died September 2, 2012, at the age of 84; and

WHEREAS, This dedicated champion of higher education and progressive race relations was the first African American vice president at The University of Texas at Austin; and

WHEREAS, Dr. Hill joined the university's faculty in 1993 as associate vice president for administration and public affairs; in 2000, he was appointed vice president for community and school relations, and he remained in that position until his retirement in 2007; he then continued to serve the university as senior vice president, special assistant to the president; and

WHEREAS, During his tenure, he was responsible for the management of the Hogg Foundation for Mental Health, the University Interscholastic League, Community and School Relations, University Outreach programs, and Pre-college Youth Development; and

WHEREAS, Dr. Hill was also actively involved with the Martin Luther King, Jr. Statue Committee and the Barbara Jordan Historical Essay Competition, and he was a founding member of the Texas Alliance of Black School Educators; and

WHEREAS, Dr. Hill played a vital part in connecting The University of Texas with other institutions of learning, and he helped foster lasting and mutually beneficial relationships with many neighbor universities and schools; and

WHEREAS, He was recognized with the Whitney Young Urban League Award and the National Forum of Black Public Administrators' Mark of Excellence Award, and the Black Faculty and Staff Association honored him with the creation of the Dr. James L. Hill Education Scholarship in 2001 and presented him with the Lifetime Achievement Award in 2006; and

WHEREAS, This deeply committed mentor and role model will be dearly missed by his wife of 62 years, Geraldine; their daughter, Jacqueline Howard; his extended family; and many other loved ones; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby extend sincere condolences to the bereaved family of Dr. James Larance Hill; 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 Dr. James L. Hill.

WATSON  
ELLIS  
WEST