

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRTIETH DAY

(Monday, March 25, 2013)

The Senate met at 2:10 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, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

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

Pastor Dante Wright, Sweet Home Baptist Church, Round Rock, offered the invocation as follows:

O Lord, our God, how excellent is Your name in all the Earth. We honor You and reverence You on this day for loving us and for blessing us with life, love, and the pursuit of happiness. Today, bless our lawmakers, illuminate their hearts and minds with Your infinite wisdom. Teach these, Your elected public servants, to act justly, love mercy, and to walk humbly before You. Bless them with a spirit of open-mindedness and an attitude of compromise and cooperation so that they may effectively serve the diverse group of people of the great State of Texas. This prayer we pray in the name that is above all names, and in God we trust. 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.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

March 22, 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 Texas Department of Motor Vehicles Board for terms to expire February 1, 2019:

Robert S. "Barney" Barnwell, III
Magnolia, Texas
(Mr. Barnwell is being reappointed)

Luanne Caraway
Kyle, Texas
(replacing Cheryl Johnson of Friendswood whose term expired)

Raymond Palacios, Jr.
El Paso, Texas
(Mr. Palacios is being reappointed)

Respectfully submitted,

/s/Rick Perry
Governor

PHYSICIANS OF THE DAY

Senator Watson was recognized and presented Drs. John and Judith Egerton of Austin as the Physicians of the Day.

The Senate welcomed the Egertons and thanked them for their participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, March 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 1600 Cook

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.

HCR 90 Morrison
Designating March 2013 as Women's History Month.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 423

Senator Nelson offered the following resolution:

SR 423, Recognizing Boy Scout Troop 7 in Grapevine on the occasion of its 100th anniversary.

The resolution was again read.

The resolution was previously adopted on Monday, March 18, 2013.

GUESTS PRESENTED

Senator Nelson was recognized and introduced to the Senate a Boy Scout Troop 7 delegation.

The Senate welcomed its guests.

SENATE RESOLUTION 541

Senator Ellis offered the following resolution:

SR 541, Commending BikeTexas for promoting bicycle safety.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Ellis was recognized and introduced to the Senate a BikeTexas delegation.

The Senate welcomed its guests.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The President Pro Tempore 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 RULE 5.14(a) SUSPENDED (Intent Calendar)

On motion of Senator Eltife and by unanimous consent, Senate Rule 5.14(a), requiring bills to be posted on the Intent Calendar by 3:00 p.m., was suspended and the time was extended to 4:00 p.m. today.

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

On motion of Senator Eltife and by unanimous consent, Senate Rule 7.12(a) was suspended and the following committee reports were ordered not printed:

SB 1026, SB 1093.

CONCLUSION OF MORNING CALL

The President Pro Tempore at 2:21 p.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 515 ON SECOND READING

On motion of Senator Eltife and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 515** at this time on its second reading:

CSSB 515, Relating to the sale and production of malt liquor, ale, and beer by the holder of a brewpub license.

The bill was read second time.

Senator Eltife offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 515** (senate committee printing) by striking SECTION 10 of the bill (page 3, lines 51-55) and substituting the following:

SECTION 10. (a) Subject to Subsection (b) of this section, 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, 2013.

(b) The changes in law made by this Act take effect only if each of the following bills is enacted and becomes law:

(1) Senate Bill No. 516, House Bill No. 1764, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows small brewers to sell ale to retailers;

(2) Senate Bill No. 517, House Bill No. 1765, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows small beer manufacturers to sell beer to retailers;

(3) Senate Bill No. 518, House Bill No. 1766, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows small brewers and beer manufacturers to sell beer and ale to ultimate consumers; and

(4) Senate Bill No. 639, House Bill No. 1538, or another similar bill of the 83rd Legislature, Regular Session, 2013, relating to sales of beer by a manufacturer to a distributor and certain agreements between a manufacturer and distributor.

The amendment to **CSSB 515** 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 motion of Senator Eltife and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 515 as amended was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 515 ON THIRD READING**

Senator Eltife moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 515** 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
SENATE BILL 639 ON SECOND READING**

On motion of Senator Carona and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 639** at this time on its second reading:

CSSB 639, Relating to the sale of beer, ale, and malt liquor by a brewer or beer manufacturer to a wholesaler or distributor and contractual agreements between those entities.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 639** (senate committee printing) by striking SECTIONS 2, 3, and 4 of the bill (page 2, lines 3-40) and substituting the following:

SECTION 2. (a) Subject to Subsection (b) of this section, 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, 2013.

(b) The changes in law made by this Act take effect only if each of the following bills is enacted and becomes law:

(1) Senate Bill No. 515, House Bill No. 1763, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows holders of brewpub licenses to self-distribute beer, malt liquor, or ale produced under the license to retailers;

(2) Senate Bill No. 516, House Bill No. 1764, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows small brewers to sell ale to retailers;

(3) Senate Bill No. 517, House Bill No. 1765, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows small beer manufacturers to sell beer to retailers; and

(4) Senate Bill No. 518, House Bill No. 1766, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows small brewers and beer manufacturers to sell beer and ale to ultimate consumers.

The amendment to **CSSB 639** 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 motion of Senator Carona and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 639 as amended was passed to engrossment by a viva voce vote.

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

**COMMITTEE SUBSTITUTE
SENATE BILL 639 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 639** 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.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Texas organ donors and recipients.

The Senate welcomed its guests.

**COMMITTEE SUBSTITUTE
SENATE BILL 518 ON SECOND READING**

On motion of Senator Eltife and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 518** at this time on its second reading:

CSSB 518, Relating to the authority of certain brewers and manufacturers to sell beer and ale to ultimate consumers.

The bill was read second time.

Senator Eltife offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 518** (senate committee printing) by striking SECTION 5 of the bill (page 2, line 36) and substituting the following:

SECTION 5. (a) Subject to Subsection (b) of this section, 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, 2013.

(b) The changes in law made by this Act take effect only if each of the following bills is enacted and becomes law:

(1) Senate Bill No. 515, House Bill No. 1763, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows holders of brewpub licenses to self-distribute beer, malt liquor, or ale produced under the license to retailers;

(2) Senate Bill No. 516, House Bill No. 1764, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows small brewers to sell ale to retailers;

(3) Senate Bill No. 517, House Bill No. 1765, or another similar bill of the 83rd Legislature, Regular Session, 2013, that allows small beer manufacturers to sell beer to retailers; and

(4) Senate Bill No. 639, House Bill No. 1538, or another similar bill of the 83rd Legislature, Regular Session, 2013, relating to sales of beer by a manufacturer to a distributor and certain agreements between a manufacturer and distributor.

The amendment to **CSSB 518** 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 motion of Senator Eltife and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 518 as amended was passed to engrossment by a viva voce vote.

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

COMMITTEE SUBSTITUTE SENATE BILL 518 ON THIRD READING

Senator Eltife moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 518** 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.

(President in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 7 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 7** at this time on its second reading:

CSSB 7, Relating to improving the delivery and quality of certain health and human services, including the delivery and quality of Medicaid acute care services and long-term services and supports.

The bill was read second time.

Senator Nelson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 7** (Senate Committee Printing) as follows:

(1) In SECTION 1.01 of the bill, between added Sections 534.001(3) and (4), Government Code (page 1, between lines 44 and 45), insert the following subdivision and renumber subsequent subdivisions of the section accordingly:

(4) "Functional need" means the measurement of an individual's services and supports needs, including the individual's intellectual, psychiatric, medical, and physical support needs.

(2) In SECTION 1.01 of the bill, strike added Section 534.001(7), Government Code (page 2, lines 4 through 6), and substitute the following:

(7) "Local intellectual and developmental disability authority" means an authority defined by Section 531.002(11), Health and Safety Code.

(3) In SECTION 1.01 of the bill, in added Section 534.051(3), Government Code (page 2, line 47), between "supports" and the underlined semicolon, insert ", including the assessment of individuals' functional needs".

(4) In SECTION 1.01 of the bill, in added Section 534.051(9), Government Code (page 2, line 60), strike "and".

(5) In SECTION 1.01 of the bill, in added Section 534.051(10), Government Code (page 2, line 62), between "services" and the underlined period, insert the following:

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(11) promote independent service coordination and independent ombudsmen services; and

(12) ensure that individuals with the most significant needs are appropriately served in the community and that processes are in place to prevent inappropriate institutionalization of individuals

(6) In SECTION 1.01 of the bill, in added Section 534.053(a)(1), Government Code (page 3, line 12), between "recipients" and the underlined semicolon, insert ", including at least three representatives from intellectual and developmental disability advocacy organizations".

(7) In SECTION 1.01 of the bill, in added Section 534.053(a)(2), Government Code, on page 3, strike lines 13 and 14 and substitute the following:

(2) representatives of Medicaid managed care and non-managed care health care providers, including:

(8) In SECTION 1.01 of the bill, strike added Sections 534.053(a)(3)(A) through (E), Government Code (page 3, lines 24 through 33), and substitute the following:

(A) representatives of aging and disability resource centers established under the Aging and Disability Resource Center initiative funded in part by the federal Administration on Aging and the Centers for Medicare and Medicaid Services;

(B) representatives of community mental health and intellectual disability centers; and

(C) representatives of and service coordinators or case managers from private and public home and community-based services providers that serve individuals with intellectual and developmental disabilities; and

(9) In SECTION 1.01 of the bill, in added Section 534.054(a), Government Code (page 3, line 60), strike "December 1" and substitute "September 30".

(10) In SECTION 1.01 of the bill, between added Sections 534.106 and 534.107, Government Code (page 5, between lines 38 and 39), insert the following:

Sec. 534.1065. RECIPIENT PARTICIPATION IN PROGRAM VOLUNTARY. Participation in a pilot program established under this subchapter by an individual with an intellectual or developmental disability is voluntary, and the decision whether to participate in a program and receive long-term services and supports from a provider through that program may be made only by the individual or the individual's legally authorized representative.

(11) In SECTION 1.01 of the bill, strike added Section 534.152, Government Code (page 7, lines 18 through 25), and substitute the following:

Sec. 534.152. DELIVERY OF CERTAIN OTHER SERVICES UNDER STAR + PLUS AND STAR KIDS MEDICAID MANAGED CARE PROGRAMS. (a) The commission shall:

(1) implement the most cost-effective option for the delivery of basic attendant and habilitation services for individuals with intellectual and developmental disabilities under the STAR + PLUS and STAR Kids Medicaid managed care programs that maximizes federal funding for the delivery of services across those and other similar programs; and

(2) provide voluntary training to individuals receiving services under the STAR + PLUS and STAR Kids Medicaid managed care programs or their legally authorized representatives regarding how to select, manage, and dismiss personal attendants providing basic attendant and habilitation services under the programs.

(b) The commission shall require that each managed care organization that contracts with the commission for the provision of basic attendant and habilitation services under the STAR + PLUS or STAR Kids Medicaid managed care program in accordance with this section include in the organization's provider network for the provision of those services only:

(1) home and community support services agencies licensed under Chapter 142, Health and Safety Code, with which the commission has a contract to provide services under the community living assistance and support services (CLASS) waiver program; and

(2) persons exempted from licensing under Section 142.003(a)(19), Health and Safety Code, with which the commission has a contract to provide services under:

(A) the home and community-based services (HCS) waiver program; or

(B) the Texas home living (TxHmL) waiver program.

(c) The Department of Aging and Disability Services shall contract with local intellectual and developmental disability authorities to provide service coordination to individuals with intellectual and developmental disabilities under the STAR + PLUS and STAR Kids Medicaid managed care programs in accordance with this section. Local intellectual and developmental disability authorities providing service coordination under this section may not also provide attendant and habilitation services under this section.

(d) During the first three years basic attendant and habilitation services are provided to individuals with intellectual and developmental disabilities under the STAR + PLUS or STAR Kids Medicaid managed care program in accordance with this section, providers eligible to participate in the home and community-based

services (HCS) waiver program, the Texas home living (TxHmL) waiver program, or the community living assistance and support services (CLASS) waiver program on September 1, 2013, are considered significant traditional providers.

(12) In SECTION 1.01 of the bill, in added Section 534.202(b), Government Code (page 8, line 11), strike "Subsection (c)(1)" and substitute "Subsections (c)(1) and (g)".

(13) In SECTION 1.01 of the bill, strike added Section 534.202(c)(1), Government Code (page 8, lines 14 through 17), and substitute the following:

(1) continue operation of the Medicaid waiver programs or Medicaid ICF-IID program only for purposes of providing, if applicable:

(A) supplemental long-term services and supports not available under the managed care program delivery model selected by the commission; or

(B) long-term services and supports to Medicaid waiver program recipients who choose to continue receiving benefits under the waiver program as provided by Subsection (g); or

(14) In SECTION 1.01 of the bill, in added Section 534.202(c)(2), Government Code (page 8, line 18), between "(2)" and "provide", insert "subject to Subsection (g)".

(15) In SECTION 1.01 of the bill, in added Section 534.202(c)(2), Government Code (page 8, line 19), between "available" and "under", insert "only".

(16) In SECTION 1.01 of the bill, immediately following added Section 534.202(f), Government Code (page 8, between lines 36 and 37), insert the following:

(g) If the commission determines that all or a portion of the long-term services and supports previously available only under the Medicaid waiver programs should be provided through a managed care program delivery model under Subsection (c)(2), the commission shall, at the time of the transition, allow each recipient receiving long-term services and supports under a Medicaid waiver program the option of:

(1) continuing to receive the services and supports under the Medicaid waiver program; or

(2) receiving the services and supports through the managed care program delivery model selected by the commission.

(h) A recipient who chooses to receive long-term services and supports through a managed care program delivery model under Subsection (g) may not, at a later time, choose to receive the services and supports under a Medicaid waiver program.

(17) In SECTION 1.03(1) of the bill (page 8, line 49), strike "December 1, 2014" and substitute "September 30, 2014".

(18) In SECTION 1.03(2) of the bill (page 8, line 51), strike "December 1, 2023" and substitute "September 30, 2023".

(19) In SECTION 1.06(a)(2) of the bill (page 9, line 13), strike "December 1" and substitute "September 30".

(20) In ARTICLE 1 of the bill, add the following appropriately numbered SECTIONS and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 1.__. Section 142.003(a), Health and Safety Code, is amended to read as follows:

(a) The following persons need not be licensed under this chapter:

(1) a physician, dentist, registered nurse, occupational therapist, or physical therapist licensed under the laws of this state who provides home health services to a client only as a part of and incidental to that person's private office practice;

(2) a registered nurse, licensed vocational nurse, physical therapist, occupational therapist, speech therapist, medical social worker, or any other health care professional as determined by the department who provides home health services as a sole practitioner;

(3) a registry that operates solely as a clearinghouse to put consumers in contact with persons who provide home health, hospice, or personal assistance services and that does not maintain official client records, direct client services, or compensate the person who is providing the service;

(4) an individual whose permanent residence is in the client's residence;

(5) an employee of a person licensed under this chapter who provides home health, hospice, or personal assistance services only as an employee of the license holder and who receives no benefit for providing the services, other than wages from the license holder;

(6) a home, nursing home, convalescent home, assisted living facility, special care facility, or other institution for individuals who are elderly or who have disabilities that provides home health or personal assistance services only to residents of the home or institution;

(7) a person who provides one health service through a contract with a person licensed under this chapter;

(8) a durable medical equipment supply company;

(9) a pharmacy or wholesale medical supply company that does not furnish services, other than supplies, to a person at the person's house;

(10) a hospital or other licensed health care facility that provides home health or personal assistance services only to inpatient residents of the hospital or facility;

(11) a person providing home health or personal assistance services to an injured employee under Title 5, Labor Code;

(12) a visiting nurse service that:

(A) is conducted by and for the adherents of a well-recognized church or religious denomination; and

(B) provides nursing services by a person exempt from licensing by Section 301.004, Occupations Code, because the person furnishes nursing care in which treatment is only by prayer or spiritual means;

(13) an individual hired and paid directly by the client or the client's family or legal guardian to provide home health or personal assistance services;

(14) a business, school, camp, or other organization that provides home health or personal assistance services, incidental to the organization's primary purpose, to individuals employed by or participating in programs offered by the business, school, or camp that enable the individual to participate fully in the business's, school's, or camp's programs;

(15) a person or organization providing sitter-companion services or chore or household services that do not involve personal care, health, or health-related services;

(16) a licensed health care facility that provides hospice services under a contract with a hospice;

(17) a person delivering residential acquired immune deficiency syndrome hospice care who is licensed and designated as a residential AIDS hospice under Chapter 248;

(18) the Texas Department of Criminal Justice;

(19) a person that provides home health, hospice, or personal assistance services only to persons receiving benefits under:

(A) the home and community-based services (HCS) waiver program;

(B) the Texas home living (TxHmL) waiver program; or

(C) Section 534.152, Government Code [enrolled in a program funded wholly or partly by the Texas Department of Mental Health and Mental Retardation and monitored by the Texas Department of Mental Health and Mental Retardation or its designated local authority in accordance with standards set by the Texas Department of Mental Health and Mental Retardation]; or

(20) an individual who provides home health or personal assistance services as the employee of a consumer or an entity or employee of an entity acting as a consumer's fiscal agent under Section 531.051, Government Code.

SECTION 1. __. (a) In this section, "health and human services agencies" has the meaning assigned by Section 531.001, Government Code.

(b) The Health and Human Services Commission and any other health and human services agency implementing a provision of this Act that affects individuals with intellectual and developmental disabilities shall consult with the Intellectual and Developmental Disability System Redesign Advisory Committee established under Section 534.053, Government Code, as added by this article, regarding implementation of the provision.

(21) In SECTION 2.01 of the bill, in amended Section 533.0025(a), Government Code (page 9, lines 24 and 25), strike "and 533.00253" and substitute "533.00253, and 533.00254".

(22) In the recital to SECTION 2.02 of the bill (page 9, line 62), strike "and 533.00253" and substitute "533.00253, and 533.00254".

(23) In SECTION 2.02 of the bill, in added Section 533.00253(a), Government Code (page 11, between lines 31 and 32), add the following appropriately numbered subdivision and renumber existing subdivisions accordingly:

() "Advisory committee" means the STAR Kids Managed Care Advisory Committee established under Section 533.00254.

(24) In SECTION 2.02 of the bill, in added Section 533.00253(b), Government Code (page 11, line 41), between "shall" and "establish", insert ", in consultation with the advisory committee and the Children's Policy Council established under Section 22.035, Human Resources Code,".

(25) In SECTION 2.02 of the bill, in added Section 533.00253(c), Government Code (page 12, lines 3 and 4), strike "or a portion".

(26) In SECTION 2.02 of the bill, immediately following added Section 533.00253(d), Government Code (page 12, between lines 12 and 13), insert the following:

(e) The commission shall seek ongoing input from the Children's Policy Council regarding the establishment and implementation of the STAR Kids managed care program.

Sec. 533.00254. STAR KIDS MANAGED CARE ADVISORY COMMITTEE.

(a) The STAR Kids Managed Care Advisory Committee is established to advise the commission on the establishment and implementation of the STAR Kids managed care program under Section 533.00253.

(b) The executive commissioner shall appoint the members of the advisory committee. The committee must consist of:

(1) families whose children will receive private-duty nursing under the program;

(2) health care providers;

(3) providers of home and community-based services; and

(4) other stakeholders as the executive commissioner determines appropriate.

(c) The executive commissioner shall appoint the presiding officer of the advisory committee.

(d) A member of the advisory committee serves without compensation.

(e) The advisory committee is subject to the requirements of Chapter 551.

(f) On September 1, 2016:

(1) the advisory committee is abolished; and

(2) this section expires.

(27) In ARTICLE 2 of the bill, add the following appropriately numbered SECTIONS and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 2. __. Section 533.041, Government Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) The executive commissioner [~~commission~~] shall appoint a state Medicaid managed care advisory committee. The advisory committee consists of representatives of:

(1) hospitals;

(2) managed care organizations and participating health care providers;

(3) primary care providers and specialty care providers;

(4) state agencies;

(5) low-income recipients or consumer advocates representing low-income recipients;

(6) recipients with disabilities, including recipients with intellectual and developmental disabilities or physical disabilities, or consumer advocates representing those recipients [~~with a disability~~];

(7) parents of children who are recipients;

(8) rural providers;

(9) advocates for children with special health care needs;

(10) pediatric health care providers, including specialty providers;

(11) long-term services and supports [~~care~~] providers, including nursing facility [~~home~~] providers and direct service workers;

(12) obstetrical care providers;

(13) community-based organizations serving low-income children and their families; ~~and~~

(14) community-based organizations engaged in perinatal services and outreach;

(15) recipients who are 65 years of age or older;

(16) recipients with mental illness;

(17) nonphysician mental health providers participating in the Medicaid managed care program; and

(18) entities with responsibilities for the delivery of long-term services and supports or other Medicaid program service delivery, including:

(A) independent living centers;

(B) area agencies on aging;

(C) aging and disability resource centers established under the Aging and Disability Resource Center initiative funded in part by the federal Administration on Aging and the Centers for Medicare and Medicaid Services;

(D) community mental health and intellectual disability centers; and

(E) the NorthSTAR Behavioral Health Program provided under Chapter 534, Health and Safety Code.

(c) The executive commissioner shall appoint the presiding officer of the advisory committee.

(d) To the greatest extent possible, the executive commissioner shall appoint members of the advisory committee who reflect the geographic diversity of the state and include members who represent rural Medicaid program recipients.

SECTION 2. __. Section 533.042, Government Code, is amended to read as follows:

Sec. 533.042. MEETINGS. (a) The advisory committee shall meet at the call of the presiding officer at least semiannually, but no more frequently than quarterly.

(b) The advisory committee:

(1) [s] shall develop procedures that provide the public with reasonable opportunity to appear before the committee ~~[committee]~~ and speak on any issue under the jurisdiction of the committee;[s] and

(2) is subject to Chapter 551.

SECTION 2. __. Section 533.043, Government Code, is amended to read as follows:

Sec. 533.043. POWERS AND DUTIES. (a) The advisory committee shall:

(1) provide recommendations and ongoing advisory input to the commission on the statewide implementation and operation of Medicaid managed care, including:

(A) program design and benefits;

(B) systemic concerns from consumers and providers;

(C) the efficiency and quality of services delivered by Medicaid managed care organizations;

(D) contract requirements for Medicaid managed care organizations;

(E) Medicaid managed care provider network adequacy; and

(F) other issues as requested by the executive commissioner;

(2) assist the commission with issues relevant to Medicaid managed care to improve the policies established for and programs operating under Medicaid managed care, including the early and periodic screening, diagnosis, and treatment program, provider and patient education issues, and patient eligibility issues; and

(3) disseminate or make available to each regional advisory committee appointed under Subchapter B information on best practices with respect to Medicaid managed care that is obtained from a regional advisory committee.

(b) The commission and the Department of Aging and Disability Services shall ensure coordination and communication between the advisory committee, regional Medicaid managed care advisory committees appointed by the commission under Subchapter B, and other advisory committees or groups that perform functions related to Medicaid managed care, including the Intellectual and Developmental Disability System Redesign Advisory Committee established under Section 534.053, in a manner that enables the state Medicaid managed care advisory committee to act as a central source of agency information and stakeholder input relevant to the implementation and operation of Medicaid managed care.

(c) The advisory committee may establish work groups that meet at other times for purposes of studying and making recommendations on issues the committee determines appropriate.

SECTION 2. __. Section 533.044, Government Code, is amended to read as follows:

Sec. 533.044. OTHER LAW. (a) Except as provided by Subsection (b) and other provisions of this subchapter, the advisory committee is subject to Chapter 2110.

(b) Section 2110.008 does not apply to the advisory committee.

SECTION 2. __. Subchapter C, Chapter 533, Government Code, is amended by adding Section 533.045 to read as follows:

Sec. 533.045. COMPENSATION; REIMBURSEMENT. (a) Except as provided by Subsection (b), a member of the advisory committee is not entitled to receive compensation or reimbursement for travel expenses.

(b) A member of the advisory committee who is a Medicaid program recipient or the relative of a Medicaid program recipient is entitled to a per diem allowance and reimbursement at rates established in the General Appropriations Act.

SECTION 2. __. (a) Not later than October 1, 2013, the executive commissioner of the Health and Human Services Commission shall appoint additional members to the state Medicaid managed care advisory committee to comply with Section 533.041, Government Code, as amended by this article.

(b) Not later than December 1, 2013, the presiding officer of the state Medicaid managed care advisory committee shall convene the first meeting of the advisory committee following appointment of additional members as required by Subsection (a) of this section.

(28) In SECTION 3.01 of the bill, strike added Sections 533.0335(a)(3) and (4), Health and Safety Code (page 12, line 68, through page 13, line 3), and substitute the following:

(3) "Functional need," "ICF-IID program," and "Medicaid waiver program" have the meanings assigned those terms by Section 534.001, Government Code.

(29) In Section 3.01 of the bill, strike added Section 533.0335(b), Health and Safety Code (page 13, lines 4 through 11), and substitute the following:

(b) Subject to the availability of federal funding, the department shall develop and implement a comprehensive assessment instrument and a resource allocation process for individuals with intellectual and developmental disabilities as needed to ensure that each individual with an intellectual or developmental disability receives the type, intensity, and range of services that are both appropriate and available, based on the functional needs of that individual, if the individual receives services through one of the following:

(1) a Medicaid waiver program;

(2) the ICF-IID program; or

(3) an intermediate care facility operated by the state and providing services for individuals with intellectual and developmental disabilities.

(b-1) In developing a comprehensive assessment instrument for purposes of Subsection (b), the department shall evaluate any assessment instrument in use by the department. In addition, the department may implement an evidence-based, nationally recognized, comprehensive assessment instrument that assesses the functional needs of an individual with intellectual and developmental disabilities as the comprehensive assessment instrument required by Subsection (b). This subsection expires September 1, 2015.

(30) Strike SECTION 5.02 of the bill (page 21, lines 38 through 49).

(31) In ARTICLE 7 of the bill, add the following appropriately numbered SECTION and renumber subsequent SECTIONS of the ARTICLE accordingly:

SECTION 7. __. If the Health and Human Services Commission determines that it is cost-effective, the commission shall apply for and actively seek a waiver or authorization from the appropriate federal agency to allow the state to provide medical assistance under the waiver or authorization to medically fragile individuals:

(1) who are at least 21 years of age; and

(2) whose costs to receive care exceed cost limits under existing Medicaid waiver programs.

The amendment to **CSSB 7** 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 Zaffirini offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 7** (Senate Committee Printing) as follows:

(1) Amend Section 1.01 of the bill, in added Section 534.053(a)(1), Government Code (page 3, line 12), to replace the word "or" before the word "individuals" and after the word "services" with "and."

(2) Amend Section 1.01 of the bill, 534.202, Government Code (page 8, between lines 36 and 37), insert the following subdivision: (f-1) Before transitioning the provision of Medicaid program benefits for adults with intellectual and developmental disabilities under this section, a managed care organization providing services under the managed care program delivery model selected by the commission

must demonstrate to the satisfaction of the commission that the organization's network of providers has experience and expertise in the provision of services to adults with intellectual and developmental disabilities.

The amendment to **CSSB 7** 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 Nelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 7 as amended was passed to engrossment by a viva voce vote.

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

COMMITTEE SUBSTITUTE SENATE BILL 7 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 7** 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.

GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate students from Central Catholic High School in San Antonio: Nathaniel Garcia and Desmond Bonsignore, accompanied by chaperones Richard Thompson and David Quigley.

The Senate welcomed its guests.

SENATE BILL 188 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **SB 188** at this time on its second reading:

SB 188, Relating to interception of wire, oral, or electronic communications for law enforcement purposes.

The motion prevailed.

Senator Estes 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: Estes.

SENATE BILL 188 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 **SB 188** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Estes.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 344 ON SECOND READING**

Senator Whitmire moved to suspend the regular order of business to take up for consideration **CSSB 344** at this time on its second reading:

CSSB 344, Relating to the procedure for an application for a writ of habeas corpus based on relevant scientific evidence.

The motion prevailed.

Senators Birdwell, Nelson, and Patrick 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: Birdwell, Nelson, Patrick.

**COMMITTEE SUBSTITUTE
SENATE BILL 344 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 **CSSB 344** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nichols, Paxton, Rodríguez, Schwertner, Seliger, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Williams, Zaffirini.

Nays: Birdwell, Nelson, Patrick.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 3. (Same as previous roll call)

SENATE BILL 380 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **SB 380** at this time on its second reading:

SB 380, Relating to the recording of an informal settlement conference to resolve a complaint to the Texas Medical Board against a physician.

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.

**MOTION TO PLACE
SENATE BILL 380 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 380** be placed on its third reading and final passage.

The motion was lost by the following vote: Yeas 18, Nays 13. (Not receiving four-fifths vote of Members present)

Yeas: Birdwell, Campbell, Carona, Davis, Deuell, Duncan, Ellis, Estes, Fraser, Garcia, Hancock, Hinojosa, Paxton, Rodríguez, Schwertner, Taylor, Williams, Zaffirini.

Nays: Eltife, Hegar, Huffman, Lucio, Nelson, Nichols, Patrick, Seliger, Uresti, Van de Putte, Watson, West, Whitmire.

**COMMITTEE SUBSTITUTE
SENATE BILL 581 ON SECOND READING**

On motion of Senator Carona and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 581** at this time on its second reading:

CSSB 581, Relating to procedures for securing the deposit of public funds.

The bill was read second time.

Senator Carona offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 581** as follows:

(1) Strike SECTION 1 of the bill, amending Section 2257.045, Government Code, and substitute the following:

SECTION 1. Section 2257.045, Government Code, is amended to read as follows:

Sec. 2257.045. RECEIPT OF SECURITY BY CUSTODIAN. (a) On receipt of an investment security, a custodian shall[-

~~[(+)]~~ immediately identify on its books and records, by book entry or another method, the pledge of the security to the public entity.

(b) For a deposit of public funds under Subchapter F, the custodian shall issue and deliver to the comptroller a trust receipt for the pledged security.

(c) For any other deposit of public funds under this chapter, at the written direction of the appropriate public entity officer, the custodian shall:

(1) [~~and~~

~~[(2) promptly]~~ issue and deliver to the appropriate public entity officer a trust receipt for the pledged security; or

(2) issue and deliver a trust receipt for the pledged security to the public entity's depository and instruct the depository to deliver the trust receipt to the public entity officer immediately.

(d) The custodian shall issue and deliver the trust receipt as soon as practicable on the same business day on which the investment security is received.

(2) In SECTION 2 of the bill, in added Section 2257.046(d), Government Code, strike "the public entity, the public entity's custodian shall provide to the appropriate public entity officer" and substitute "the appropriate public entity officer, the public entity's custodian shall provide".

(3) Strike SECTION 3 of the bill, amending Section 116.051, Local Government Code.

(4) Renumber SECTIONS of the bill appropriately.

The amendment to **CSSB 581** 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 Carona offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 581** (senate committee report) in SECTION 2 of the bill, in added Section 2257.046(d), Government Code (page 1, lines 49 through 51), by striking added Subdivisions (2) and (3) of that subsection and substituting the following:

(2) the date the security was pledged to secure the public entity's deposit;

(3) the Committee on Uniform Security Identification Procedures (CUSIP) number of the security;

The amendment to **CSSB 581** 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 Carona and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 581 as amended was passed to engrossment by a viva voce vote.

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

COMMITTEE SUBSTITUTE SENATE BILL 581 ON THIRD READING

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 581** 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
SENATE BILL 770 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 770** at this time on its second reading:

CSSB 770, Relating to a prohibition against naming public property after certain elected officials and former elected officials.

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.

**COMMITTEE SUBSTITUTE
SENATE BILL 770 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 770** 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 1639 REREFERRED
(Motion In Writing)**

Senator Carona submitted a Motion In Writing requesting that **SB 1639** be withdrawn from the Committee on Jurisprudence and rereferred to the Committee on Business and Commerce.

The Motion In Writing prevailed without objection.

MOTION TO ADJOURN

On motion of Senator Whitmire and by unanimous consent, the Senate at 3:34 p.m. agreed to adjourn, 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, filed on or before Friday, March 8, 2013, were introduced, read first time, and referred to the committees indicated:

SB 1661 by Estes

Relating to the consequences of engaging in certain conduct characteristic of organized crime; providing penalties.

To Committee on Criminal Justice.

SB 1662 by Eltife

Relating to certain appeals through binding arbitration of appraisal review board orders.

To Committee on Finance.

SB 1663 by Taylor

Relating to certain water districts that do not provide water and sanitary sewer service to certain users in the districts' territory.

To Committee on Natural Resources.

SB 1664 by Nichols

Relating to commercial driver's licenses and commercial learner's permits and the operation of commercial motor vehicles; creating an offense.

To Committee on Transportation.

SB 1665 by Carona

Relating to the deposit of assessments and fees collected for examination expenses.

To Committee on Business and Commerce.

SB 1666 by Carona

Relating to the regulation of amusement rides.

To Committee on Business and Commerce.

SB 1667 by Duncan

Relating to a chronic neurological disease registry; authorizing a fee.

To Committee on Health and Human Services.

SB 1668 by Zaffirini

Relating to the institutions of higher education eligible to participate in the Texas Science, Technology, Engineering, and Mathematics (T-STEM) Challenge Scholarship Program.

To Committee on Higher Education.

SB 1669 by Nichols

Relating to the regulation of motor vehicles by counties and the Texas Department of Motor Vehicles; authorizing a fee; creating an offense.

To Committee on Transportation.

SB 1670 by Nichols

Relating to the fees for oversize and overweight vehicle permits.

To Committee on Transportation.

SB 1671 by Nichols

Relating to the fines for and other enforcement of laws providing for the operation of oversize or overweight vehicles.

To Committee on Transportation.

SB 1672 by Taylor

Relating to the business of travel insurance; authorizing penalties.

To Committee on Business and Commerce.

SB 1673 by Taylor

Relating to the regulation of industrialized housing by the manufactured housing division of the Texas Department of Housing and Community Affairs; providing a criminal penalty; authorizing fees.

To Committee on Business and Commerce.

SB 1674 by Taylor

Relating to accelerated educational programs offered by public institutions of higher education to qualified persons seeking licensure as physician assistants.

To Committee on Higher Education.

SB 1675 by Davis

Relating to establishing a demonstration project for preventative health care services, and implementation of related outreach activities.

To Committee on Health and Human Services.

SB 1676 by Ellis

Relating to creating an offense for the unlawful possession or transfer of a large-capacity magazine.

To Committee on Criminal Justice.

SB 1677 by Ellis

Relating to the reporting of a lost or stolen firearm; providing criminal penalties.

To Committee on Criminal Justice.

SB 1678 by Deuell, Patrick

Relating to the eligibility, disbursement, and reporting requirements of the Major Events trust fund and the Events trust fund.

To Committee on Economic Development.

SB 1679 by Zaffirini

Relating to state agency procurement.

To Committee on Government Organization.

SB 1680 by Zaffirini

Relating to certain requirements applicable to contracts entered into by state agencies.

To Committee on Government Organization.

SB 1681 by Zaffirini

Relating to oversight and management of state contracts.

To Committee on Government Organization.

SB 1682 by Zaffirini

Relating to certain ethics requirements applicable to state agencies, including required disclosures by state contractors.

To Committee on State Affairs.

SB 1683 by Huffman

Relating to providing a federal postcard applicant with a ballot for any election in which the applicant is eligible to vote.

To Committee on State Affairs.

SB 1684 by Zaffirini

Relating to the registration of boat trailers.

To Committee on Transportation.

SB 1685 by Zaffirini

Relating to exemptions from property taxation and sales and use taxation for certain offshore spill response and well containment property used to control pollution.
To Committee on Finance.

SB 1687 by Deuell

Relating to the establishment of a statewide system for stroke response and treatment.
To Committee on Health and Human Services.

SB 1688 by Lucio

Relating to certain exemptions to initial training requirements for employees, directors, and operators of a child-care facility.
To Committee on Health and Human Services.

SB 1689 by Rodríguez

Relating to the regulation of credit access businesses.
To Committee on Business and Commerce.

SB 1690 by Lucio

Relating to the establishment of a down payment assistance program by the manufactured housing division of the Texas Department of Housing and Community Affairs for the purchase of manufactured homes by low income individuals and families in rural areas.
To Committee on Intergovernmental Relations.

SB 1691 by Rodríguez

Relating to the administration of oaths and issuance of subpoenas in an arbitration proceeding involving county firefighters or police officers; creating an offense.
To Committee on Intergovernmental Relations.

SB 1692 by Lucio

Relating to a limitation on annexation by certain municipalities.
To Committee on Intergovernmental Relations.

SB 1693 by Ellis

Relating to the management of federal and state funds for the Texas Safe Routes to School (SRTS) program, and other programs directed toward the accommodation of pedestrians, bicyclists, persons with disabilities, children, senior citizens, users of public transportation, and persons of all ages and abilities on separate facilities and in conjunction with motorists on street and highway corridors, hereafter the "All-Ages, Active, Safe, and Economical Transportation in Texas (AASETT)" program.
To Committee on Transportation.

SB 1694 by Lucio

Relating to annexation by and disannexation from certain municipalities.
To Committee on Intergovernmental Relations.

SB 1695 by Lucio

Relating to the release of extraterritorial jurisdiction by certain municipalities.
To Committee on Intergovernmental Relations.

SB 1696 by Rodríguez

Relating to the short-term motor vehicle rental tax used to finance certain athletic events.

To Committee on Finance.

SB 1697 by Lucio

Relating to procedures required for the continued annexation of certain areas annexed by certain municipalities.

To Committee on Intergovernmental Relations.

SB 1698 by Lucio

Relating to a limitation on annexation by certain municipalities.

To Committee on Intergovernmental Relations.

SB 1699 by Rodríguez

Relating to the application of municipal zoning regulations to certain commercial property in which the General Land Office retains an ownership interest.

To Committee on Government Organization.

SB 1703 by Zaffirini

Relating to the use of hotel occupancy tax revenue in certain municipalities and counties.

To Committee on Economic Development.

SB 1704 by Lucio

Relating to cooperation with federal agencies on immigration issues in this state; authorizing fees.

To Committee on Agriculture, Rural Affairs and Homeland Security.

SB 1705 by Campbell

Relating to the administration of certain examinations required to obtain a driver's license.

To Committee on Transportation.

SB 1706 by Rodríguez

Relating to mental health in juvenile cases.

To Committee on Criminal Justice.

SB 1707 by Campbell

Relating to the allocation of certain revenue from the tax on the sale, rental, and use of motor vehicles to the Texas Mobility Fund.

To Committee on Finance.

SB 1708 by Rodríguez

Relating to the acquisition of certain real property in El Paso for the construction of facilities for the Department of Public Safety of the State of Texas.

To Committee on Government Organization.

SB 1709 by Davis

Relating to a study regarding the capacity and service capabilities of the Texas Women's Health Program.

To Committee on Health and Human Services.

SB 1710 by Birdwell

Relating to measures to facilitate the transfer of students within the public higher education system and the timely graduation of students from public institutions of higher education.

To Committee on Higher Education.

SB 1711 by Birdwell

Relating to the extent and management of the John Graves Scenic Riverway.

To Committee on Natural Resources.

SB 1712 by Rodríguez

Relating to the prosecution of the offense of prostitution.

To Committee on Criminal Justice.

SB 1713 by Davis

Relating to increasing funding for the basic allotment under the Foundation School Program.

To Committee on Finance.

SB 1714 by Davis

Relating to insufficient funds charges and check or debit authorization for a deferred presentment transaction.

To Committee on Business and Commerce.

SB 1715 by Davis

Relating to a requirement that a credit access business include copies of its agreements with third-party lenders in an application for a license.

To Committee on Business and Commerce.

SB 1716 by Davis

Relating to extensions of consumer credit a credit services organization obtains for a consumer or assists a consumer in obtaining; providing a civil penalty.

To Committee on Business and Commerce.

SB 1717 by Rodríguez

Relating to the authority of the office of independent ombudsman with the Texas Juvenile Justice Department in regard to juveniles in custody in facilities other than juvenile justice facilities.

To Committee on Criminal Justice.

SB 1718 by West

Relating to the establishment of the Texas Achievement School District for educating students attending campuses removed from the jurisdiction of a school district or charter school.

To Committee on Education.

SB 1719 by Rodríguez

Relating to the construction, remodeling, or rehabilitation of certain hotel projects.

To Committee on Economic Development.

SB 1720 by Patrick

Relating to the Texas Teach Corps Loan Repayment Assistance Program for undergraduate students who agree to teach in school districts in this state that have shortages of teachers in mathematics or science.

To Committee on Higher Education.

SB 1721 by Patrick

Relating to a requirement that a student's postsecondary transcript include the average or median grade awarded in each class.

To Committee on Higher Education.

SB 1722 by Rodríguez

Relating to reforming the electoral process; providing a criminal penalty.

To Committee on State Affairs.

SB 1723 by Patrick, Birdwell

Relating to the eligibility of certain citizens residing outside the United States to vote a full ballot.

To Committee on State Affairs.

SB 1725 by Deuell

Relating to a prohibition of employment of a member or former member of the State Board of Education by an open-enrollment charter school; providing a penalty.

To Committee on Education.

SB 1726 by Whitmire

Relating to the state classification officer's periodic salary studies at state agencies experiencing high employee turnover or attrition rates.

To Committee on Government Organization.

SB 1727 by Deuell

Relating to the use of the Texas emissions reduction plan fund.

To Committee on Natural Resources.

SB 1728 by Carona

Relating to forensic analysis and forensic evidence testimony in certain civil proceedings.

To Committee on Jurisprudence.

SB 1729 by Nichols

Relating to an agreement between the Department of Public Safety and a county clerk or county assessor-collector for the provision of renewal and duplicate driver's license and other identification certificate services.

To Committee on Transportation.

SB 1730 by Nichols

Relating to comprehensive development agreements of the Texas Department of Transportation or a regional mobility authority.

To Committee on Transportation.

SB 1731 by Lucio

Relating to the establishment, fiscal oversight and administration of the Texas secure loan pilot program by the Texas Department of Housing and Community Affairs.
To Committee on Intergovernmental Relations.

SB 1732 by Taylor

Relating to authorizing the sale of certain real property in Brazoria County by the Texas Board of Criminal Justice.
To Committee on Government Organization.

SB 1733 by Taylor

Relating to a study regarding the creation of dunes on the gulf coast for storm surge protection.
To Committee on Natural Resources.

SB 1734 by Taylor

Relating to an allowance of challenging a will.
To Committee on Jurisprudence.

SB 1735 by Campbell

Relating to certain offenses involving the carrying of concealed handguns by license holders and to defenses and exceptions to the prosecution of those offenses.
To Committee on Criminal Justice.

SB 1736 by Campbell

Relating to the regulation of dangerous wild animals.
To Committee on Agriculture, Rural Affairs and Homeland Security.

SB 1737 by Van de Putte

Relating to employment, higher education, and state purchasing programs for veterans.
To Committee on Veteran Affairs and Military Installations.

SB 1738 by Rodríguez

Relating to the legal defense and indemnification of county officials and employees.
To Committee on Intergovernmental Relations.

SB 1739 by Rodríguez

Relating to the Criminal Justice Legislative Oversight Committee, the appointment of members, and the members' duties and responsibilities.
To Committee on Criminal Justice.

SB 1740 by Patrick

Relating to the public education grant program.
To Committee on Education.

SB 1741 by Zaffirini

Relating to training requirements applicable to members of the governing board of a public institution of higher education.
To Committee on Higher Education.

SB 1742 by Lucio

Relating to the creation, fiscal oversight and administration of the Texas Housing Innovations Competition Fund; making an appropriation.

To Committee on Intergovernmental Relations.

SB 1743 by Rodríguez

Relating to prohibiting employer retaliation against employees who seek recovery of unpaid wages and procedures in wage claim hearings conducted by the Texas Workforce Commission; providing administrative penalties.

To Committee on Economic Development.

SB 1744 by Uresti

Relating to license examination attempt limits for certain physicians.

To Committee on Health and Human Services.

SB 1745 by Uresti

Relating to minimum pollution removal requirements for certain stormwater discharges in the Edwards Aquifer.

To Committee on Natural Resources.

SB 1746 by Uresti

Relating to payment of out-of-network ambulatory surgery benefits by certain health benefit plans.

To Committee on State Affairs.

SB 1747 by Uresti

Relating to a fund for certain county transportation infrastructure projects and the creation of County Energy Transportation Reinvestment Zones.

To Committee on Transportation.

SB 1748 by Uresti

Relating to employee caseload standards for child and adult protective services and child-care licensing services and call processing standards for certain of those services.

To Committee on Health and Human Services.

SB 1749 by Uresti

Relating to the exemption of a water well from certain permitting by and compliance with rules of a groundwater conservation district.

To Committee on Natural Resources.

SB 1750 by Uresti

Relating to a criminal penalty for failure to handle certain animals in accordance with rules of the Texas Animal Health Commission.

To Committee on Agriculture, Rural Affairs and Homeland Security.

SB 1751 by Uresti

Relating to the allocation of beds in and the commitment of certain persons to certain mental health facilities.

To Committee on Health and Human Services.

SB 1752 by Uresti

Relating to advance directives for persons with mental illness.
To Committee on Health and Human Services.

SB 1753 by Uresti

Relating to ensuring the continuation of medical assistance benefits for individuals after release or discharge from certain facilities.
To Committee on Health and Human Services.

SB 1754 by Uresti

Relating to certification and recertification requirements for emergency services personnel.
To Committee on Health and Human Services.

SB 1755 by Uresti

Relating to exceptions to mental health information disclosure prohibitions.
To Committee on Health and Human Services.

SB 1756 by Uresti

Relating to the expedited processing of certain applications for permits under the Clean Air Act; authorizing a surcharge.
To Committee on Natural Resources.

SB 1757 by Uresti

Relating to the definition of license plate flipper and providing a penalty.
To Committee on Criminal Justice.

SB 1758 by Uresti

Relating to the establishment of a task force to examine hiring and management practices of the Department of Family and Protective Services.
To Committee on Health and Human Services.

SB 1759 by Uresti

Relating to the procedures for the appointment of and the duties of attorneys ad litem in certain suits affecting the parent-child relationship.
To Committee on Jurisprudence.

SB 1760 by Uresti

Relating to the development of brackish groundwater.
To Committee on Natural Resources.

SB 1761 by Uresti

Relating to the transfer of extraterritorial jurisdiction between certain home-rule and general-law municipalities and annexation of certain territory by the general-law municipalities.
To Committee on Intergovernmental Relations.

SB 1762 by Uresti

Relating to an increase of certain credit unions' assets.
To Committee on Business and Commerce.

SB 1763 by Uresti

Relating to permitting requirements of groundwater conservation districts, including permits to transfer water.

To Committee on Natural Resources.

SB 1764 by Deuell

Relating to the provision of a cranial molding orthosis under the medical assistance and child health plan programs.

To Committee on Health and Human Services.

SB 1765 by Deuell

Relating to the reporting of health care-associated infections at health care facilities.

To Committee on Health and Human Services.

SB 1766 by Rodríguez

Relating to the criteria and requirements for the closure, consolidation, or consolidation plan of state supported living centers.

To Committee on Health and Human Services.

SB 1767 by Rodríguez

Relating to the authorization for and imposition of hospital assessments by hospital districts.

To Committee on Health and Human Services.

SB 1768 by Rodríguez

Relating to the authorization for and imposition of hospital assessments by counties.

To Committee on Health and Human Services.

SB 1769 by Rodríguez

Relating to the creation of an advisory committee to examine the fingerprinting practices of the Texas Juvenile Justice Department.

To Committee on Criminal Justice.

SB 1770 by Carona

Relating to enforcement of a lien against certain decedents' interests in real property.

To Committee on Jurisprudence.

SB 1771 by Campbell

Relating to the adjustment of the boundaries of the Cibolo Creek Municipal Authority.

To Committee on Natural Resources.

SB 1772 by Huffman

Relating to the prosecution and punishment of certain offenses committed against juveniles in custody; imposing a criminal penalty.

To Committee on Criminal Justice.

SB 1773 by Huffman

Relating to a select committee to review and make recommendations for substantive changes to laws overseen by the Texas Ethics Commission.

To Committee on State Affairs.

SB 1774 by Huffman

Relating to the procedures for and the oversight of the commitment of sexually violent predators.

To Committee on Criminal Justice.

SB 1775 by West

Relating to student eligibility to attend public school districts and charter schools, student transfers, and the Public Education Grant Program.

To Committee on Education.

SB 1776 by Lucio

Relating to prohibited discrimination in the sale of distilled spirits to holders of wholesaler's permits.

To Committee on Business and Commerce.

SB 1777 by Lucio

Relating to importation of liquor by local distributors.

To Committee on Business and Commerce.

SB 1778 by Zaffirini

Relating to funding for certain county transportation infrastructure projects.

To Committee on Finance.

SB 1779 by Zaffirini

Relating to ad valorem tax incentives for the recycling of water used in oil or gas drilling or production.

To Committee on Finance.

SB 1780 by Zaffirini

Relating to the definition of new property value for purposes of the calculation of certain ad valorem tax rates for a county.

To Committee on Finance.

SB 1781 by Zaffirini

Relating to the eligibility for grants for natural gas fueling stations under the Texas natural gas vehicle grant program.

To Committee on Transportation.

SB 1782 by Zaffirini

Relating to the assessment of damages arising from a condemnation of a pipeline easement.

To Committee on State Affairs.

SB 1783 by Zaffirini

Relating to the tax exemption for permanent hotel residents in certain oil and gas producing municipalities.

To Committee on Finance.

SB 1784 by Zaffirini

Relating to establishing the Texas Landowner Ombudsman office in the General Land Office.

To Committee on State Affairs.

SB 1785 by Lucio

Relating to a study conducted by the School Health Advisory Committee regarding commercial advertisements on public school property.

To Committee on Education.

SB 1786 by Lucio

Relating to the restriction of certain foods at public schools.

To Committee on Education.

SB 1787 by Uresti

Relating to the licensure of anesthesiologist assistants; providing penalties.

To Committee on Health and Human Services.

SB 1788 by Uresti

Relating to the duties of the Council on Children and Families and creating a committee to advise the council on child abuse prevention issues.

To Committee on Health and Human Services.

SB 1789 by Uresti

Relating to the stability of placements for children in the conservatorship of the Department of Family and Protective Services.

To Committee on Health and Human Services.

SB 1790 by Watson

Relating to additional funding for transportation projects, including the issuance of revenue bonds; increasing motor vehicle registration fees.

To Committee on Transportation.

SB 1791 by Watson

Relating to a county air quality fee imposed at the time of an emissions-related inspection.

To Committee on Natural Resources.

SB 1792 by Watson

Relating to remedies for nonpayment of tolls; for the use of certain toll projects; authorizing a fee and certain investigative and court costs; creating an offense.

To Committee on Transportation.

SB 1793 by Watson

Relating to remedies for nonpayment of tolls of Texas Department of Transportation toll projects; authorizing a fee and certain investigative and court costs.

To Committee on Transportation.

SB 1794 by Watson

Relating to a transportation revolving fund for certain metropolitan planning organizations.

To Committee on Transportation.

SB 1795 by Watson

Relating to the regulation of navigators for health benefit exchanges.

To Committee on State Affairs.

SB 1796 by Watson

Relating to the release and use of certain information maintained by the State Bar of Texas on request of certain continuing legal education sponsors regarding attorneys.
To Committee on Jurisprudence.

SB 1797 by Watson

Relating to the creation of an additional county court at law in Travis County.
To Committee on Jurisprudence.

SB 1798 by Watson

Relating to the prosecution of the offense of obstruction or retaliation; providing penalties.
To Committee on Criminal Justice.

SB 1799 by Watson

Relating to the period of time allowed for issuance of decisions by the commissioner of education in certain appeals against school districts.
To Committee on Education.

SB 1800 by Watson

Relating to the establishment and duties of an event oversight committee for an event eligible to receive funding through an events trust fund for certain municipalities and counties.
To Committee on Economic Development.

SB 1801 by Watson

Relating to the adoption of fire hydrant requirements for a wildland-urban interface in certain municipalities.
To Committee on Natural Resources.

SB 1802 by Rodríguez

Relating to the reporting of certain information regarding inmates and the use of administrative segregation by the Texas Department of Criminal Justice.
To Committee on Criminal Justice.

SB 1804 by Huffman

Relating to the establishment of community collaboratives by local entities to provide services to and coordinate the care of persons who are homeless, persons with mental illness, and persons with substance abuse problems.
To Committee on Health and Human Services.

SB 1805 by Huffman

Relating to the renewal of a controlled substance registration by physicians.
To Committee on Health and Human Services.

SB 1806 by Eltife

Relating to the Harrison County Court at Law.
To Committee on Jurisprudence.

SB 1807 by Van de Putte

Relating to the display of flags at half-staff at state buildings to honor service members killed in action.

To Committee on Veteran Affairs and Military Installations.

SB 1809 by Deuell

Relating to the establishment of a statewide system for the response to and treatment of certain types of heart attacks.

To Committee on Health and Human Services.

SB 1810 by Ellis

Relating to an intercollegiate athletics fee at Texas Southern University.

To Committee on Higher Education.

SB 1811 by Hegar

Relating to the Fort Bend Subsidence District.

To Committee on Natural Resources.

SB 1812 by Duncan

Relating to state contributions for participation by certain junior college employees in the state employees group benefits program, Teacher Retirement System of Texas, and Optional Retirement System.

To Committee on State Affairs.

SB 1813 by West

Relating to the transfer to the state of certain county public funds by certain counties for the purpose of providing the state share of Disproportionate Share Hospital payments.

To Committee on Health and Human Services.

SB 1814 by Estes

Relating to request, receipt, and maintenance of certain security clearance by members of the Public Safety Commission.

To Committee on Agriculture, Rural Affairs and Homeland Security.

SB 1815 by Zaffirini

Relating to voluntary donations to the Glenda Dawson Donate Life-Texas Registry.

To Committee on Transportation.

SB 1816 by Rodríguez

Relating to the expansion of eligibility for medical assistance to certain persons under the federal Patient Protection and Affordable Care Act and funding of that expansion.

To Committee on Health and Human Services.

SB 1844 by Schwertner

Relating to the Corn Hill Regional Water Authority.

To Committee on Natural Resources.

SB 1845 by Taylor

Relating to the creation of the Brazoria County Municipal Utility District No. 48; 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 1846 by Taylor

Relating to the creation of the Brazoria County Municipal Utility District No. 49; 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 1847 by Taylor

Relating to the creation of the Brazoria County Municipal Utility District No. 50; 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 1848 by Duncan

Relating to the dissolution of the Lipan Creek Flood Control District.

To Committee on Intergovernmental Relations.

SB 1849 by Williams

Relating to the name of The Woodlands Road Utility District No. 1, of Montgomery County, Texas, and to the administration, powers, and duties of the district.

To Committee on Intergovernmental Relations.

SB 1850 by Schwertner

Relating to the creation of Rock Prairie Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

To Committee on Intergovernmental Relations.

SB 1851 by Schwertner

Relating to the creation of Rock Prairie Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

To Committee on Intergovernmental Relations.

SB 1852 by Paxton

Relating to the powers and duties of the Collin County Water Control and Improvement District No. 3; providing authority to issue bonds.

To Committee on Intergovernmental Relations.

CO-AUTHOR OF SENATE BILL 25

On motion of Senator Hegar, Senator Hancock will be shown as Co-author of **SB 25**.

CO-AUTHOR OF SENATE BILL 129

On motion of Senator Nelson, Senator Uresti will be shown as Co-author of **SB 129**.

CO-AUTHOR OF SENATE BILL 360

On motion of Senator Watson, Senator Paxton will be shown as Co-author of **SB 360**.

CO-AUTHORS OF SENATE BILL 459

On motion of Senator Rodríguez, Senators Lucio and Uresti will be shown as Co-authors of **SB 459**.

CO-AUTHOR OF SENATE BILL 955

On motion of Senator Schwertner, Senator Van de Putte will be shown as Co-author of **SB 955**.

CO-AUTHOR OF SENATE BILL 1212

On motion of Senator Estes, Senator Paxton will be shown as Co-author of **SB 1212**.

CO-AUTHOR OF SENATE BILL 1292

On motion of Senator Ellis, Senator Schwertner will be shown as Co-author of **SB 1292**.

CO-AUTHOR OF SENATE BILL 1655

On motion of Senator Williams, Senator Hancock will be shown as Co-author of **SB 1655**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 55

On motion of Senator Williams, Senator Hancock will be shown as Co-author of **SJR 55**.

CO-AUTHORS OF SENATE JOINT RESOLUTION 63

On motion of Senator Davis, Senators Van de Putte and Watson will be shown as Co-authors of **SJR 63**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 525 by Van de Putte, In memory of Milton Guess.

SR 527 by Watson, In memory of Josue V. Quintanilla.

SR 535 by Van de Putte, In memory of Rosaura Gomez.

SR 537 by Nelson and Davis, In memory of Nancy Lee Bass.

Welcome and Congratulatory Resolutions

SR 524 by Schwertner, Recognizing the members of the Grimes County Republican Women.

SR 526 by Hegar, Campbell, Uresti, Van de Putte, and Zaffirini, Recognizing the achievements of the Edwards Aquifer Recovery Implementation Program.

SR 528 by Schwertner, Birdwell, Hegar, and Uresti, Recognizing Alcoa on the occasion of its 125th anniversary.

SR 529 by Zaffirini, Recognizing the Miakan-Garza Band of the Coahuiltecan Indians for its contributions to the State of Texas.

SR 531 by Williams, Recognizing The John Cooper School on the occasion of its 25th anniversary.

SR 533 by Van de Putte, Welcoming the Shen Yun Performing Arts group to San Antonio.

SR 539 by Carona, Recognizing the Rowlett Citizen Corps Council on the occasion of its 10th anniversary.

SR 542 by Birdwell, Recognizing the Association of the United States Army and its visiting delegation.

Official Designation Resolutions

SR 530 by Eltife, Recognizing March 27, 2013, as Lamar County Day at the State Capitol.

SR 532 by Van de Putte, Recognizing April of 2013 as Autism Awareness Month.

SR 538 by Ellis, Recognizing March 14, 2013, as Joseph Chatoyer Day in Texas.

(Senator Nelson in Chair)

ADJOURNMENT

Pursuant to a previously adopted motion, the Senate at 4:08 p.m. adjourned 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:

March 25, 2013

CRIMINAL JUSTICE — **CSSB 701, CSSB 821, CSSB 1238**

HIGHER EDUCATION — **CSSB 1210, CSSB 680**

CRIMINAL JUSTICE — **CSSB 742**

GOVERNMENT ORGANIZATION — **SB 1107**

TRANSPORTATION — **CSSB 181, CSSB 487, CSSB 1110**

ECONOMIC DEVELOPMENT — **CSSB 307, CSSB 340, CSSB 920, SB 1041**

BUSINESS AND COMMERCE — **CSSB 672, CSSB 828**

INTERGOVERNMENTAL RELATIONS — **SB 233, SB 654, SB 660, SB 751, SB 752, SB 836, SB 877**

GOVERNMENT ORGANIZATION — **CSSB 794**

EDUCATION — **SB 547, CSSB 832, CSSB 833, CSSB 1724**

BUSINESS AND COMMERCE — **CSSB 19**

TRANSPORTATION — **CSSB 563**

INTERGOVERNMENTAL RELATIONS — **CSSB 170, CSSB 356**

ECONOMIC DEVELOPMENT — **CSSB 748**

CRIMINAL JUSTICE — **CSSB 1185, CSSB 213**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **SB 229, SB 242, SB 442, SCR 17**

INTERGOVERNMENTAL RELATIONS — **CSSB 476**

ADMINISTRATION — **HB 1263, SCR 18, SCR 21**

JURISPRUDENCE — **CSSB 352**

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — **CSSB 162**

BILLS ENGROSSED

March 21, 2013

SB 31, SB 36, SB 49, SB 132, SB 139, SB 158, SB 165, SB 172, SB 174, SB 222, SB 250, SB 270, SB 294, SB 347, SB 369, SB 394, SB 401, SB 404, SB 430, SB 454, SB 484, SB 497, SB 498, SB 500, SB 510, SB 531, SB 595, SB 603, SB 649, SB 655, SB 662, SB 673, SB 677, SB 683, SB 692, SB 698, SB 715, SB 717, SB 747, SB 764, SB 801, SB 804, SB 805, SB 840, SB 845, SB 856, SB 890, SB 901, SB 902, SB 917, SB 918, SB 944, SB 945

