

SENATE FLOOR ACTION

**Thursday
May 7, 2009**

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

SB 505 (CS) Ogden/ et al.

Relating to authorizing the designation of an area adjacent to a state highway project as a transportation finance zone, and authorizing the revenue from the state sales and use taxes imposed in the zone to be deposited in a revolving fund and used to repay financial assistance provided from the fund for highway projects.

SB 679 (CS) (LC) Lucio/ et al.

Relating to the administration of certain housing funds by the Texas Department of Housing and Community Affairs.

SB 845 (CS) Van de Putte/ et al.

Relating to the tuition and fee exemption available to certain military personnel and their dependents and to permitting those personnel to transfer the exemption to a child.

SB 952 (CS) Shapleigh

Relating to erecting an off-premise sign adjacent to and visible from certain roads that follow the route of El Camino Real de Tierra Adentro.

SB 958 (LC) Hegar

Relating to an exemption from the sales and use tax for machinery and equipment used in an agricultural aircraft operation.

SB 978 (CS) (LC) West

Relating to the creation and financing of public improvement districts.

SB 1454 (CS) (LC) West/ et al.

Relating to the right to an expunction of records and files relating to a person's arrest.

SB 1483 (CS) (LC) Huffman

Relating to the creation of the Galveston County Municipal Utility District No. 76; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

SB 1489 (CS) (LC) Watson/ et al.

Relating to optional dispute resolution methods for school districts and parents of students seeking or receiving special education services.

1 Floor Amendment

SB 1645 (CS) (LC) Van de Putte

Relating to a study of the feasibility of establishing separate reimbursement under the Medicaid vendor drug program for certain pharmacy care management services.

SB 1833 Patrick, Dan

Relating to county participation in the enterprise zone program.

1 Floor Amendment

SB 1953 (CS) (LC) Jackson, Mike

Relating to authorizing the transfer of certain real property held by the Texas Department of Criminal Justice.

2 Floor Amendments

SB 2037 (CS) (LC) Shapiro
Relating to the sex offender civil commitment program and to the creation of a state agency to perform the functions relating to the sex offender civil commitment program that are currently performed by the Council on Sex Offender Treatment.
1 Floor Amendment

SB 2079 (LC) Uresti
Relating to the continuing care plan for persons being discharged from state hospitals.

SB 2224 (CS) (LC) West
Relating to orders of nondisclosure for the records of children convicted of certain offenses punishable by fine only.

SB 2249 (CS) (LC) Zaffirini
Relating to a certification program for teachers of students with visual impairments.

SB 2283 (LC) Lucio
Relating to the use of the state participation account of the Texas Water Development Fund.

SB 2340 (CS) (LC) Averitt
Relating to electronic monitoring and other alternative means for certain defendants to discharge a fine or costs or satisfy a term of confinement in county jail.
1 Floor Amendment

SB 2384 (CS) Shapleigh
Relating to children's exposure to area-wide soil contamination in certain counties.
1 Floor Amendment

SB 2515 (CS) Williams
Relating to the administration, powers and duties, operations, and financing of The Woodlands Township; providing authority to impose an events admission tax.
1 Floor Amendment

SB 2531 (CS) (LC) Gallegos
Relating to the creation of the Harris County Improvement District No. 15; providing authority to impose an assessment, impose a tax, and issue bonds.

SB 2534 (CS) Wentworth
Relating to the creation of an interagency task force on economic growth and endangered species; providing information and direction regarding endangered species issues in certain areas of the state.

HB 865 (CS) (LC) Swinford SP: Hegar
Relating to the establishment of the Texas Invasive Species Coordinating Committee.

HB 1205 Button/ et al. SP: Carona
Relating to the circumstances in which the approval of the governing body of a taxing unit is required for refunds of overpayments or erroneous payments of ad valorem taxes.

HB 1580 (CS) (LC) Flynn/ Miller, Sid/ Kolkhorst/ McClendon SP: Hegar
Relating to the continuation and functions of the board of directors of the official cotton growers' boll weevil eradication foundation and the management of certain cotton in pest management zones.
1 Floor Amendment

HB 1830 (CS) (LC) Corte/ Edwards SP: Ellis
Relating to information technology security practices of state agencies.
1 Floor Amendment

HB 2042 (LC) Flynn SP: Deuell
Relating to the notice requirements following impoundment of an estray.

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

SB 725 (CS) **Estes**
Relating to the sunset review of certain river authorities.
4 Floor Amendments

The Senate suspended the regular order and postponed consideration:

SB 853 (CS) (LC) **Patrick, Dan**
Relating to authorizing injunctive relief during proceedings to cancel or suspend certain alcoholic beverage permits and licenses.

The Senate adopted the following resolutions:

SR 842 **Van de Putte**
Encouraging Texas employers to hire veterans.

SR 863 **Lucio**
Commending the participants in the Texas Vietnam Veterans Memorial Highway Motorcycle Run.

SCR 71 **Eltife**
In memory of Texas game warden George Harold Whatley, Jr.

HCR 121 **Maldonado/ Kleinschmidt/** **SP: Watson**
 Rodriguez/ Dukes/ Strama/ et al.
Recognizing all those who participated in the 2008 Capital Area State Employee Charitable Campaign.

HCR 194 **Homer** **SP: Eltife**
Commemorating the Rotary District 5830 Conference in Paris, Texas, on May 15 and 16, 2009.

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

SB 411 (LC) **Carona**
Relating to a restitution lien for the state to secure fines or costs in a misdemeanor case.

SB 413 (LC) **Carona**
Relating to the prosecution of a Class C misdemeanor offense for which the defendant does not appear.

SB 414 (LC) **Carona**
Relating to conducting by electronic means a hearing to determine a defendant's ability to discharge certain fines and court costs.

SB 415 (LC) **Carona**
Relating to the court in which certain persons charged with misdemeanors punishable by fine only may be arraigned.

SB 449 (LC) **Carona**
Relating to the penalty group classification of certain controlled substances.

SB 549 (LC) **Carona**
Relating to the authority of the Department of Public Safety of the State of Texas to obtain and use criminal history record information for certain departmental authorizations.

SB 710 (CS) (LC) **Nelson/ et al.**
Relating to the punishment for the offense of employment harmful to children.

SB 1530 (LC) **Whitmire**
Relating to including playgrounds in the designation of certain places as drug-free zones for purposes of the criminal penalties that apply to certain drug-related offenses.

SB 2064 (CS) (LC) **West/ et al.**
Relating to the issuance of state and local government securities, including the powers and duties of the Bond Review Board and the issuance of private activity bonds.

SB 2472 (CS) (LC) **Patrick, Dan**
Relating to the creation of the Harris County Improvement District No. 14; providing authority to impose an assessment, impose a tax, and issue bonds.

SB 2486 (LC) Williams
Relating to the creation of the Montgomery County Water Control and Improvement District No. 3; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

SB 2496 (CS) (LC) Patrick, Dan
Relating to the powers of the Westchase District.

SB 2509 (LC) Williams
Relating to the creation of the Montgomery County Water Control and Improvement District No. 2; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

SB 2518 (CS) (LC) Nichols
Relating to the creation of the Somerset Municipal Utility District No. 3; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

HB 752 (LC) England SP: Harris
Relating to the authority of certain municipalities to enter into an agreement with a school district to dedicate revenue from a tax increment fund to the district for the acquisition, construction, or reconstruction of an educational facility.

HB 782 (LC) Pickett SP: Carona
Relating to registration exemptions for certain foreign commercial motor vehicles.

HB 1213 (LC) Rios Ybarra SP: Lucio
Relating to the promulgation by the commissioner of the General Land Office of rules authorizing the use on a public beach of a golf cart for the transportation of a person with a physical disability.

HB 1615 (LC) Kuempel SP: Averitt
Relating to the practice of veterinarians in certain mercantile establishments.

HB 1637 (LC) Turner, Chris/ Chavez/ Edwards/ SP: Ellis
et al.
Relating to normal weekly hours of work under the shared work unemployment compensation program.

HB 2546 (LC) Isett/ Moody/ McClendon/ Corte SP: Hinojosa
Relating to the continuation and functions of the Texas Military Preparedness Commission.

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

SB 844 (CS) (LC) Hegar
Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 194; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

SB 1222 (CS) (LC) Eltife
Relating to certain powers of the Red River Redevelopment Authority.

SB 1483 (CS) (LC) Huffman
Relating to the creation of the Galveston County Municipal Utility District No. 76; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

SB 1531 (LC) Whitmire
Relating to the definition of a playground for purposes of certain places protected from certain criminal activities.

SB 2491 (LC) Uresti
Relating to the powers and duties of certain public improvement districts.

Committee referral on the following:

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

Intergovernmental Relations

- HB 101** **Brown, Fred**
Relating to the formula funding for public institutions of higher education for certain credit hours that do not count toward a degree.
Higher Education
- HB 334** **Aycock**
Relating to requiring an election authority to provide notice to certain county chairs regarding certain election activities.
State Affairs
- HB 434** **Lucio III/ Leibowitz**
Relating to a requirement that program materials for the Energy Services Program for Low-Income Individuals be provided in certain languages.
Business & Commerce
- HB 461** **Eissler/ Chisum/ Button/ Leibowitz/ Bohac**
Relating to the detection and treatment of dyslexia, including the use of certain professional titles by dyslexia practitioners and therapists; providing a criminal penalty.
Health & Human Services
- HB 469** **King, Phil/ Anchia/ Hughes/ Lewis/ Strama/ et al.**
Relating to the establishment of incentives by this state for the implementation of certain projects to capture and sequester in geological formations carbon dioxide that would otherwise be emitted into the atmosphere.
Natural Resources
- HB 472** **Hilderbran**
Relating to the effect and implementation of the law regarding reporting by a common carrier or pipeline owner or operator of contamination.
Natural Resources
- HB 636** **Guillen/ Marquez/ Gonzales/ Flores/ Chavez**
Relating to allocation of state and federal funds for adult basic education.
Education
- HB 643** **Zerwas**
Relating to the qualifications of surgical technologists; providing penalties.
Health & Human Services
- HB 739** **Quintanilla**
Relating to certain continuing education requirements for insurance agents who sell Medicare-related products.
State Affairs
- HB 756** **Martinez Fischer**
Relating to the making or acceptance of political contributions in a building owned by or leased to the state.
State Affairs
- HB 871** **Farrar/ et al.**
Relating to the method of mailing notice a municipal management district may use to notify a property owner about a scheduled hearing.
Intergovernmental Relations
- HB 878** **Bonnen**
Relating to the Sweeny Hospital District.
Intergovernmental Relations
- HB 1030** **Callegari**
Relating to the scheduling of hearings before appraisal review boards on property tax protests.
Intergovernmental Relations

HB 1113 **Zerwas**
 Relating to the powers and duties of the Fort Bend County Municipal Utility District No. 194; providing authority to impose a tax and issue bonds.
Intergovernmental Relations

HB 1138 **Shelton/ Hopson/ Hunter/ Zerwas**
 Relating to information required on pharmacy benefit cards.
State Affairs

HB 1151 **Thompson**
 Relating to temporary orders and orders for modification in suits affecting the parent-child relationship.
Jurisprudence

HB 1187 **Kolkhorst**
 Relating to the membership of the board of managers for certain emergency communication districts.
Intergovernmental Relations

HB 1233 **Menendez**
 Relating to the court-ordered administration of psychoactive medication to certain criminal defendants.
Criminal Justice

HB 1256 **Allen/ et al.**
 Relating to requiring the posting of notice of voter complaint information at a polling place.
State Affairs

HB 1285 **Eiland/ et al.**
 Relating to persons authorized to administer an oath in this state.
Jurisprudence

HB 1320 **Christian/ et al.**
 Relating to creating an offense for engaging in certain conduct relating to cockfighting and to the criminal and civil consequences of committing that offense.
Criminal Justice

HB 1384 **Davis, Yvonne**
 Relating to authorizing certain nature centers to charge admission fees.
Intergovernmental Relations

HB 1461 **Paxton**
 Relating to the contents of an application for probate of a will as a muniment of title.
Jurisprudence

HB 1556 **Ortiz, Jr./ Alonzo**
 Relating to local public health and public safety alerts.
Transportation & Homeland Security

HB 1569 **Thompson/ Chavez**
 Relating to equal access to places of public accommodation.
Business & Commerce

HB 1730 **Pitts**
 Relating to authorizing the issuance of bonds for the reimbursement of the cost of public improvements located in public improvement districts in certain counties.
Intergovernmental Relations

HB 1883 **Farabee**
 Relating to the authority of the Railroad Commission of Texas to determine whether certain transporters of natural or synthetic gas are gas utilities.
Natural Resources

HB 1914 **McReynolds/ Christian**
 Relating to abolishing the Private Sector Prison Industries Oversight Authority and to the certification and operation of private sector prison industries programs.
Criminal Justice

HB 1925 **Gutierrez/ Leibowitz/ Lewis/ et al.**

Relating to the compensation of certain court administrators.

Jurisprudence

HB 1959 **Isett/ McCall**

Relating to the governmental entities subject to the sunset review process.

Government Organization

HB 1997 **McCall**

Relating to the making of political contributions to and acceptance of political contributions by statewide officers and members of the legislature before and during a special session of the legislature; providing a criminal penalty.

State Affairs

HB 2022 **Weber**

Relating to the powers and duties of the Sedona Lakes Municipal Utility District No. 1 of Brazoria County; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.

Intergovernmental Relations

HB 2090 **Darby**

Relating to the execution docket of certain court clerks.

Jurisprudence

HB 2209 **Pena/ Bohac/ Leibowitz/ et al.**

Relating to a voter educator program for high school seniors.

Education

HB 2212 **Craddick**

Relating to the division of certain emergency services districts.

Intergovernmental Relations

HB 2214 **Farrar**

Relating to requiring instruction on the use of traffic circles.

Transportation & Homeland Security

HB 2344 **Giddings/ Davis, Yvonne**

Relating to the urban land bank demonstration program in certain municipalities.

Intergovernmental Relations

HB 2349 **Dutton**

Relating to reporting certain information on the Internet relating to cases heard by administrative law judges employed by the State Office of Administrative Hearings.

State Affairs

HB 2424 **Morrison/ Deshotel/ Hamilton**

Relating to exempting Lamar State College--Orange and Lamar State College--Port Arthur from certain requirements relating to student admissions.

Higher Education

HB 2467 **Rodriguez/ Leibowitz**

Relating to the definition of a playground for purposes of certain places protected from certain criminal activities.

Criminal Justice

HB 2628 **Rodriguez/ Leibowitz**

Relating to an exemption from ad valorem taxation of certain property owned by a charitable organization and used in providing housing and related services to certain individuals.

Finance

HB 2665 **Ritter**

Relating to authorizing the commissioners court of a county to adopt and impose standards and specifications for the design and installation of address number signs to identify properties located in unincorporated areas of the county; providing a penalty.

Intergovernmental Relations

HB 2685 **Callegari/ Leibowitz/ Gonzalez
Tourelles/ Miller, Sid/ et al.**
Relating to the landowner's bill of rights.
State Affairs

HB 2692 **Rodriguez/ Howard, Donna/
Naishtat**
Relating to certain municipal requirements regarding sales of residential properties in certain areas.
Intergovernmental Relations

HB 2772 **Eissler**
Relating to the authority of the Montgomery County Hospital District in relation to ambulance service providers.
Intergovernmental Relations

HB 2788 **Miller, Doug/ Bolton**
Relating to the powers and duties of counties and emergency services districts.
Intergovernmental Relations

HB 2805 **Maldonado/ Gattis/ Sheffield/
Aycock/ Anderson**
Relating to the administration, powers, duties, operation, and financing of the East Williamson County Multi-Institution Teaching Center.
Higher Education

HB 2845 **Riddle/ Martinez, "Mando"/
Fletcher**
Relating to the certification of and disciplinary actions against emergency medical services personnel.
Health & Human Services

HB 2854 **Hughes/ Harper-Brown**
Relating to license plates created by the Texas Department of Transportation for professional firefighters.
Transportation & Homeland Security

HB 2925 **Herrero/ Cohen/ Creighton**
Relating to protections provided by the Department of Agriculture for certain consumers; providing penalties.
Natural Resources

HB 2927 **Howard, Donna/ Hilderbran/
Dunnam/ Anderson**
Relating to the regulation of cemeteries by state and local government.
Health & Human Services

HB 2961 **Coleman**
Relating to authorizing an increase in the student union fee at the University of Houston.
Higher Education

HB 3001 **Homer**
Relating to the consideration of longevity and cost of living in setting the salaries for certain municipal employees.
Intergovernmental Relations

HB 3003 **Homer**
Relating to the creation of a bail bond board by the commissioners court of certain counties.
Intergovernmental Relations

HB 3009 **Coleman**
Relating to the authority of municipal management districts to consolidate.
Intergovernmental Relations

HB 3098 Bolton

Relating to the use by certain municipalities of hotel occupancy tax revenue for the construction of a recreational venue near hotels.

Economic Development

HB 3132 Gallego

Relating to the creation of the Presidio County Emergency Services District; providing authority to issue bonds and impose taxes.

Intergovernmental Relations

HB 3147

**Smith, Todd/ Guillen/ Fletcher/
et al.**

Relating to taking or attempting to take a weapon from a commissioned security officer.

Criminal Justice

HB 3231 Davis, John/ Guillen

Relating to clarification of legislative intent regarding enrollment of newborns in Medicaid managed care plans and validating related acts and decisions.

Health & Human Services

HB 3358 **Turner, Sylvester/ Pierson/
Leibowitz**

Relating to allowing municipal or county housing authorities in certain counties to create housing communities for veterans.

Veteran Affairs & Military Installations

HB 3398 Darby

Relating to the office of county treasurer.

Intergovernmental Relations

HB 3481 Veasey/ Hodge

Relating to the right to an expunction of records and files relating to a person's arrest.

Criminal Justice

HB 3487 Coleman

Relating to the purchasing and contracting authority of counties; providing penalties.

Intergovernmental Relations

HB 3544 Lucio III

Relating to electronic notices by the Texas Commission on Environmental Quality, electronically stored information provided by a governmental body, and confidentiality of e-mail addresses provided to a governmental body.

State Affairs

HB 3552 Bonnen

Relating to the evaluation of certain regional planning commissions.

State Affairs

HB 3554 Bonnen

Relating to the appointment of an associate judge to serve a district court in Brazoria County.

Jurisprudence

HB 3668 Hopson

Relating to the injunction of municipal purchasing contracts.

Intergovernmental Relations

HB 3677 **King, Phil**

Relating to the residency requirement for a candidate for an unelected office in certain municipalities.

Intergovernmental Relations

HB 3758 **Smith, Wayne**

Relating to the port authority advisory committee and funding of port security, facility projects, and studies.

Transportation & Homeland Security

HB 3767

Paxton

Relating to homestead property transferred to a trustee of certain trusts.

Jurisprudence

HB 3795

Morrison/ Branch

Relating to the public awareness campaign promoting higher education and to additional financial aid for higher education.

Higher Education

HB 3800

Frost

Relating to the designation of a portion of U.S. Highway 59 as the Trooper Scott Burns Memorial Highway.

Transportation & Homeland Security

HB 3802

Frost

Relating to certain powers of the Red River Redevelopment Authority.

Intergovernmental Relations

HB 3881

Alonzo

Relating to the right to an expunction of records and files relating to a person's arrest.

Criminal Justice

HB 3988

Merritt/ Leibowitz/ Miklos

Relating to the issuance of disabled veteran license plates to surviving disabled spouses and of certain military license plates to the surviving spouses of military servicemembers who die while on active duty.

Transportation & Homeland Security

HB 4029

Marquez

Relating to written authorization for the release of certain health care information.

Health & Human Services

HB 4180

Guillen

Relating to the allocation of funds for public transportation by the Texas Department of Transportation.

Transportation & Homeland Security

HB 4244

Hochberg

Relating to resident tuition rates for certain competitive scholarship recipients at public institutions of higher education.

Higher Education

HB 4275

Menendez/ Kent/ Leibowitz

Relating to the application process and scoring for the low income housing tax credit program.

Intergovernmental Relations

HB 4276

Menendez/ Davis, John/ et al.

Relating to a transportation plan for persons furloughed or discharged from certain mental health facilities.

Health & Human Services

HB 4300

Herrero

Relating to safety rules for certain pipeline facilities and public awareness.

Natural Resources

HB 4328

Strama/ et al.

Relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.

Economic Development

HB 4338

Smithee

Relating to title insurance agents and title insurance companies.

Business & Commerce

HB 4341 **Truitt**
 Relating to the regulation of discount health care programs by the Texas Department of Insurance; providing penalties.
Health & Human Services

HB 4376 **Smith, Wayne**
 Relating to the authority of the Baytown Municipal Development District to use sales tax revenue to promote new or expanded business development.
Economic Development

HB 4402 **Martinez Fischer/ Zerwas/ Hopson/ Howard, Donna/ Leibowitz**
 Relating to a study regarding insurance coverage of prescription drugs provided under a health benefit plan.
State Affairs

HB 4461 **Smithee**
 Relating to confidentiality of certain information maintained by the Texas Department of Insurance.
State Affairs

HB 4501 **Coleman**
 Relating to an intercollegiate athletics fee at Texas Southern University.
Higher Education

HB 4644 **Lucio III**
 Relating to communications with utility customers.
Natural Resources

HB 4661 **Brown, Fred**
 Relating to the rate of the municipal hotel occupancy tax in certain municipalities and to the use of certain revenue from the tax.
Finance

HB 4713 **Miller, Doug**
 Relating to certain exemptions from ad valorem taxes imposed by the Cow Creek Groundwater Conservation District.
Natural Resources

HB 4723 **Taylor**
 Relating to the powers and duties of the Bayview Municipal Utility District of Galveston County; providing authority to impose a tax and issue bonds.
Intergovernmental Relations

HB 4728 **King, Phil**
 Relating to the Parker County Utility District No. 1.
Intergovernmental Relations

HB 4748 **Gattis**
 Relating to the authority of the Williamson County Municipal Utility District No. 21 to extend the time limit for holding a confirmation and initial directors' election and to divide into two districts.
Intergovernmental Relations

HB 4760 **Gonzales**
 Relating to the minimum salary that must be paid to county court at law judges in Hidalgo County.
Jurisprudence

HB 4762 **King, Tracy O.**
 Relating to the territory of and the validation of certain governmental acts and proceedings of the Edwards Aquifer Authority.
Natural Resources

HB 4765

Oliveira/ Paxton/ Hopson/
Callegari/ Creighton/ et al.

Relating to the total revenue exemption for the franchise tax.

Finance

HB 4779

Gattis

Relating to the powers and duties of the 3 B&J Municipal Utility District; providing authority to impose a tax and issue bonds.

Intergovernmental Relations

(CS) COMMITTEE SUBSTITUTE

(LC) RECOMMENDED FOR LOCAL CALENDAR