

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE — REGULAR SESSION

AUSTIN, TEXAS

PROCEEDINGS

FORTY-FOURTH DAY

(Monday, April 22, 2013)

The Senate met at 2:15 p.m. pursuant to adjournment and was called to order by the President.

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 announced that a quorum of the Senate was present.

The Reverend Gary Randle, H.O.P.E. Farm, Fort Worth, was introduced by Senator Birdwell and Senator Davis and offered the invocation as follows:

Our heavenly Father, we thank You for the opportunity and freedom to be able to gather here for prayer this morning, and we praise Your name for the great things You are doing in this country. While the news and rhetoric lately may often seem rather dark and while the challenges we seem to bring on ourselves as a country seem to be more and more of a burden, we take great comfort because we know that first, last, and always, You are God. Lord, You specifically direct us in First Timothy, Chapter 2, to pray for our leaders and those whom we've trusted with authority. So, today, Lord, we want to do just that. We pray for President Obama, the First Lady, and their children as well as for Vice President and Mrs. Biden and their family. We pray for their advisors and cabinet and for our military and its leaders. We pray for the men and women in Congress and in the Supreme Court. We pray for all our elected officials in Texas, our Governor, our Lieutenant Governor, our Attorney General. We pray for the men and women of our state Legislature and those in Austin that represent our great state. Lord, we not only pray for all our leaders this morning but, Father, we also humbly pray for ourselves. We pray that we as citizens of this great country can be worthy of good leadership, that we can be wise in picking leaders, and, Lord, help each of us play a proper role in creating an atmosphere and climate such that gifted men and women want to run for office and, when elected, can thrive in a way that blesses this country. We thank You that we have a country that values the democratic process. And, Lord, we pray that You will give the media wisdom such that they will be honest

stewards of information as they report on the issues of the day, so that we will have an atmosphere suited to Your purposes and Your divine plan for this country. Lord, we ask that You bless the young people in our country and that You give us and our leaders the wisdom to set a worthy example. And, Father, where there is too often division, heated rhetoric, and angst in the public square, we pray that not only will You provide the healing that only Your holy spirit can bring but that You will also help us to avoid being cynical and to avoid giving up on our leaders. Rather, give us the ability to remember that You are our creator, that You are merciful, and that You are in control. We pray all this, Lord, in Your holy name. 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:

April 19, 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 appointment:

To be a member of the Texas Lottery Commission for a term to expire February 1, 2017:

Veronica Edwards
San Antonio, Texas

Ms. Edwards is replacing Cynthia Tauss of League City who resigned.

Respectfully submitted,
/s/Rick Perry
Governor

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 24, HCR 109.**

PHYSICIAN OF THE DAY

Senator Zaffirini was recognized and presented Dr. Jake Margo, Jr., of Rio Grande City as the Physician of the Day.

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

SENATE RESOLUTION 583

Senator Rodríguez offered the following resolution:

SR 583, Commending Mitchell Marcus and Jon Montanez.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Rodríguez was recognized and introduced to the Senate Mitchell Marcus, Jonathan Montanez, Paul Morales, Clement Marcus, and Juan Montanez.

The Senate welcomed its guests.

SENATE RESOLUTION 662

Senator Uresti offered the following resolution:

WHEREAS, The Senate of the State of Texas is honored to recognize the seventh class of the Senator Gregory Luna Legislative Scholars and Fellows Program, conducted by the Senate Hispanic Research Council and named in memory of Senator Gregory Luna of San Antonio; and

WHEREAS, A true champion for the underrepresented and underserved in Texas, Senator Luna dedicated his life to public service and fought for educational equity; and

WHEREAS, A tribute to Senator Luna's admirable work in the Senate, this prestigious program was created to provide professional opportunities for undergraduate and graduate-level students from across the state to gain invaluable experience by serving as full-time legislative assistants in the Texas Senate and acquire the skills necessary to become successful leaders for our great state; and

WHEREAS, These Scholars and Fellows also coordinated the "KIPP's Day at the Capitol," which provides high school students from the KIPP Austin Public Schools with an inside look at the legislative process and promotes successful completion of their college admission process; and

WHEREAS, The following Scholars and Fellows have demonstrated outstanding dedication and achievement in Senate offices: Omar Araiza from McAllen, serving in the office of State Senator Juan "Chuy" Hinojosa; Alejandro Barrientos from Corpus Christi, serving in the office of State Senator Carlos Uresti; William Calve from Dickinson, serving in the office of State Senator Kirk Watson; Siddharth Dadhich from Cypress, serving in the office of State Senator Kel Seliger; Nacho Santiago from El Paso, serving in the office of State Senator José Rodríguez; Paige Duggins, from Cedar Hill, serving in the office of State Senator Judith Zaffirini; Norma A. Herrera from Pharr, serving in the office of Lieutenant Governor David Dewhurst; Karla Hoyos from San Antonio, serving in the office of State Senator Craig Estes; Daniela C. Huerta-Garcia from Mexico City, serving in the office of State Senator Carlos Uresti; Maria Virginia Ivanez from Valencia, Venezuela, serving in the office of State Senator John Whitmire; Ivan Medina from Garland, serving in the office of State Senator Eddie Lucio; Dariel Ramirez from Dallas, serving in the office of State Senator Juan "Chuy" Hinojosa; Brianna Roberts from San Antonio, serving in the

office of State Senator Leticia Van de Putte; Nathan Salazar from Lubbock, serving in the office of State Senator Royce West; and Leah Marie Wise from Harlingen, serving in the office of State Senator Wendy Davis; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend the members of the seventh class of the Senator Gregory Luna Legislative Scholars and Fellows Program for their remarkable service this session and wish them continued success as they prepare to become the future leaders of our great state; and, be it further

RESOLVED, That copies of this Resolution be presented to them as an expression of esteem from the Texas Senate.

SR 662 was read and was adopted without objection.

GUESTS PRESENTED

Senator Uresti was recognized and introduced to the Senate Senator Gregory Luna Legislative Scholars: Omar Araiza, Alejandro Barrientos, William Calve, Siddharth Dadhich, Nacho Santiago, Paige Duggins, Norma A. Herrera, Karla Hoyos, Daniela C. Huerta-Garcia, Maria Virginia Ivanez, Ivan Medina, Dariel Ramirez, Brianna Roberts, Nathan Salazar, and Leah Marie Wise, accompanied by Sarah Saenz.

The Senate welcomed its guests.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, April 22, 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 33

Menéndez

Relating to alternative methods of dispute resolution in certain disputes between the Department of Aging and Disability Services and an assisted living facility licensed by the department.

HB 63

Craddick

Relating to the creation of an offense for use of a handheld wireless communication device for text-based communication while operating a motor vehicle.

HB 64

Craddick

Relating to the liability of and the validation of certain acts of the Midland County Fresh Water Supply District No. 1.

- HB 220** Price
Relating to consecutive sentences for certain offenses involving injury to a child, an elderly individual, or a disabled individual and arising out of the same criminal episode.
- HB 250** Miller, Doug
Relating to the designation of a segment of Interstate Highway 35 as the Trooper Randy Vetter Memorial Highway.
- HB 252** Larson
Relating to water shortage reporting by water utilities and providers of wholesale water supplies.
- HB 278** Craddick
Relating to the liability of a municipality for certain space flight activities.
- HB 332** Guillen
Relating to tort liability arising from a volunteer's operation of a Parks and Wildlife Department motor-driven vehicle or motor-driven equipment.
- HB 341** Pitts
Relating to the exclusion of certain mineral interests from the property interests that may be condemned by a regional tollway authority.
- HB 349** Canales
Relating to electronically filing any court document in a criminal case in Hidalgo County.
- HB 403** Davis, Sarah
Relating to liability of certain certified municipal inspectors for services rendered during an emergency or disaster.
- HB 407** King, Phil
Relating to the Weatherford College District service area.
- HB 411** King, Phil
Relating to the release of a vehicle held by a vehicle storage facility.
- HB 434** Riddle
Relating to the persons authorized to take a blood specimen from a vehicle operator to test for alcohol concentration or other intoxicating substances.
- HB 436** Pitts
Relating to the authority to issue bonds of the Rockett Special Utility District.
- HB 441** Davis, John
Relating to the designation of the NASA Road 1 Bypass connecting State Highway NASA Road 1 to Interstate Highway 45 as the Captain John Young Flyover.
- HB 458** Bohac
Relating to eligibility requirements for a residential fire alarm training school instructor.
- HB 460** Cortez
Relating to authorizing the county clerk in certain counties to conduct a marriage ceremony and collect a related fee.

- HB 477** Harper-Brown
Relating to the authority of a county to advertise on leased vehicles.
- HB 483** Aycock
Relating to a public hearing held on the issue of making a payment in excess of the compensation contracted for by a political subdivision.
- HB 518** Pitts
Relating to the creation of the Windsor Hills Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments and fees.
- HB 570** Alonzo
Relating to issuance of a magistrate's order for emergency protection.
- HB 584** Rodriguez, Eddie
Relating to the posting of a notice of foreclosure sale on a county's Internet website.
- HB 625** Harper-Brown
Relating to the penalty for the operation of a vehicle without a license plate.
- HB 646** Patrick, Diane
Relating to the requirements for members appointed to the Texas State Board of Examiners of Psychologists.
- HB 666** Miller, Rick
Relating to the elections to which certain applications for a ballot to be voted by mail are applicable.
- HB 674** Ratliff
Relating to providing notice of certain proposed municipal zoning changes to a school district.
- HB 729** Price
Relating to access to criminal history record information by certain hospitals and other facilities.
- HB 749** Raymond
Relating to a plan to increase outcomes in the summer food service program.
- HB 768** Howard
Relating to the application of the public and private facilities and infrastructure contracting requirements to technology facilities.
- HB 776** Guillen
Relating to the McMullen Groundwater Conservation District; providing for the imposition of and limiting the rate at which the district may impose an ad valorem tax.
- HB 788** Smith
Relating to permitting of greenhouse gas emissions by the Texas Commission on Environmental Quality; limiting the amount of a fee.
- HB 799** Thompson, Senfronia
Relating to vocational training programs provided by the Windham School District.

- HB 809** Davis, John
Relating to the dissemination of information regarding employment opportunities in this state to secondary school students.
- HB 839** Guillen
Relating to the powers, duties, and compensation of the board of directors of the Duval County Groundwater Conservation District.
- HB 845** Lucio III
Relating to possession of or access to a child.
- HB 847** Lucio III
Relating to the enforcement of an order to pay child support by contempt and the awarding of costs and fees in certain proceedings.
- HB 878** Crownover
Relating to the filing with the state of electric logs by operators of oil-related or gas-related wells; providing a penalty.
- HB 908** Nevárez
Relating to the assessment of an elderly or disabled person's psychological status for purposes of an emergency order authorizing protective services.
- HB 915** Kolkhorst
Relating to the administration and monitoring of health care provided to foster children.
- HB 938** Hughes
Relating to the designation of a segment of Farm-to-Market Road 2348 in Titus County as the Army Staff Sergeant Chauncy Mays Memorial Highway.
- HB 952** Gonzales, Larry
Relating to assignment of certain death benefits payable by the Employees Retirement System of Texas.
- HB 978** Raymond
Relating to the transportation of certain patients to a mental health facility.
- HB 988** Fletcher
Relating to the definition of a lock for purposes of the regulation of certain private security companies and occupations.
- HB 989** Thompson, Senfronia
Relating to the fine or penalty for violation of a municipal rule, ordinance, or police regulation and municipal court jurisdiction to enforce certain violations.
- HB 995** Muñoz, Jr.
Relating to the powers and duties of the Hidalgo County Water Control and Improvement District No. 19; providing authority to issue bonds; providing authority to impose fees and taxes.
- HB 1043** Lewis
Relating to the offense of the unauthorized duplication of certain recordings.
- HB 1061** Branch
Relating to the repeal of the statutory authority for the State Medical Education Board.

- HB 1098** Zerwas
Relating to family cost share provisions in the early childhood intervention program.
- HB 1104** Harper-Brown
Relating to an exemption from the requirement that a legislative caucus file reports of contributions and expenditures if no reportable activity occurs.
- HB 1127** Smith
Relating to the regulation of game rooms in certain counties; providing penalties; authorizing a fee.
- HB 1164** Thompson, Ed
Relating to the territory that may be included in a single county election precinct.
- HB 1205** Parker
Relating to the offense of failure to report abuse or neglect of a child.
- HB 1227** Dukes
Relating to the use of an Internet application to allow access by court-appointed volunteer advocates to child protective services case information.
- HB 1237** Keffer
Relating to the Eastland Memorial Hospital District.
- HB 1259** Keffer
Relating to the dissolution of the Cisco Hospital District; authorizing the imposition of a tax.
- HB 1265** Guillen
Relating to providing information to state employees about insurance available to those employees under a group coverage plan.
- HB 1287** Hilderbran
Relating to the contents of an application by certain persons for an exemption from ad valorem taxation of the person's residence homestead.
- HB 1305** Sheets
Relating to the criminal penalty for acting as an agent after suspension or revocation of the agent's license.
- HB 1348** Menéndez
Relating to the taxation of certain tangible personal property located inside a defense base development authority.
- HB 1366** Lucio III
Relating to certain procedures in family or juvenile law proceedings.
- HB 1422** Geren
Relating to the reporting in a lobbyist registration of certain persons from whom compensation or reimbursement is received.
- HB 1427** Sheffield, Ralph
Relating to the donation of surplus real property by certain municipalities.
- HB 1445** Thompson, Senfronia
Relating to the distribution of certain civil penalties and civil restitution received by the attorney general.

- HB 1479** Villarreal
Relating to establishing a committee in certain counties to recommend a uniform truancy policy.
- HB 1514** Howard
Relating to privileged parking for veterans of World War II.
- HB 1646** Flynn
Relating to revising provisions in certain laws governing certain banks and trust companies in this state to conform to changes in terminology made by the Business Organizations Code.
- HB 1664** Villarreal
Relating to the regulation of banks, trust companies, and bank holding companies.
- HB 1741** Naishtat
Relating to requiring child safety alarms in certain vehicles used by child-care facilities to transport children.
- HB 1760** Darby
Relating to the provision of services to certain individuals with developmental disabilities by a state supported living center.
- HB 1818** Kuempel
Relating to the disposition of confiscated game, animal parts, and animal products.
- HB 1844** Branch
Relating to the official name of The University of Texas Southwestern Medical Center.
- HB 1940** Orr
Relating to certain correction instruments in the conveyance of real property.
- HB 1960** Cortez
Relating to reciprocity for emergency medical services personnel certification for certain United States military personnel.
- HB 1969** Craddick
Relating to the McCamey County Hospital District; authorizing the issuance of bonds; authorizing the imposition of a tax.
- HB 1978** Villarreal
Relating to financing statements and other records under the secured transactions law.
- HB 1979** Villarreal
Relating to interest on commercial loans.
- HB 1994** Reynolds
Relating to the purchase of certain commodity items by a state agency.
- HB 2016** Keffer
Relating to the receipt or consideration of a petition requesting detachment and annexation by the board of trustees of a school district after adoption of consolidation resolutions.
- HB 2134** Villarreal
Relating to the regulation of money services businesses.

- HB 2254** Geren
Relating to apprenticeship requirements for occupational licenses issued to applicants with military experience.
- HB 2276** Crownover
Relating to notice of residential services available for persons with intellectual disabilities.
- HB 2304** Rodriguez, Eddie
Relating to the certification of sheriffs and deputy sheriffs to enforce commercial motor vehicle safety standards in certain counties.
- HB 2327** Gooden
Relating to court costs imposed on conviction and deposited to the courthouse security fund; increasing fees.
- HB 2387** Menéndez
Relating to the ad valorem taxation of certain tangible personal property located inside a defense base development authority.
- HB 2422** Gonzales, Larry
Relating to consideration of cloud computing services when a state agency purchases services for a major information resources project.
- HB 2462** Thompson, Senfronia
Relating to automobile club memberships offered in connection with certain motor vehicle retail installment contracts.
- HB 2465** Farias
Relating to the secretary of state providing information to voters regarding their voting status through an Internet website.
- HB 2466** Farias
Relating to the issuance of specialty license plates for Vietnam veterans.
- HB 2544** Rose
Relating to victim-offender mediation services offered by the victim services division of the Texas Department of Criminal Justice.
- HB 2548** Burkett
Relating to the enforcement of a provision regarding the imposition of a surcharge for the use of a credit card.
- HB 2683** Price
Relating to employment in certain consumer-directed services and by certain facilities and to the nurse aide registry and the employee misconduct registry.
- HB 2710** Gonzales, Larry
Relating to the employment of an attorney by the Texas Funeral Service Commission.
- HB 2758** Anderson
Relating to the business, supervision, and regulation of state savings and loan associations and state savings banks; providing a criminal penalty.
- HB 3064** Menéndez
Relating to the disposition of unclaimed cremated remains of certain veterans.

HB 3163 Smith
Relating to the San Jacinto Historical Advisory Board.

HB 3259 Wu
Relating to the ownership of and access to certain investigation records in child abuse and neglect cases.

HCR 23 Simpson
Designating Gregg County the Balloon Race Capital of Texas and commemorating the 36th anniversary of the Great Texas Balloon Race.

HCR 56 Hunter
Requesting the lieutenant governor and the speaker of the house of representatives to provide for a joint interim legislative study regarding the development and potential economic impact of a cruise industry on the Texas coast between Calhoun and Cameron Counties.

HCR 100 Branch
Commending retired Texas Supreme Court chief justice Jack Pope for his service and congratulating him on his 100th birthday.

SB 422 Duncan Sponsor: Darby
Relating to service of citation on a financial institution.

SB 510 Nichols Sponsor: Martinez,
"Mando"
Relating to passing certain vehicles on a highway; providing a penalty.

SB 530 Birdwell Sponsor: Orr
Relating to the inclusion of the emblem of the veteran's branch of service on Disabled Veteran specialty license plates.

SB 543 Seliger Sponsor: Craddick
Relating to the authority of the Midland County Hospital District of Midland County, Texas, to employ and commission peace officers.

SB 847 Carona Sponsor: Oliveira
Relating to business entities and associations.

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

SB 1 (non-record vote)
House Conferees with Instructions: Pitts - Chair/Crownover/Otto/Turner, Sylvester/Zerwas

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

(Senator Eltife in Chair)

SENATE RESOLUTION 646

Senator Van de Putte offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Christiana Johnson, who is being honored as a Distinguished Graduate of San Antonio College; and

WHEREAS, Christiana has demonstrated exceptional diligence and determination in her studies and in her pursuit of academic excellence; and

WHEREAS, To be recognized as a Distinguished Graduate, a student must have a minimum grade point average of 3.2, must participate in the graduation ceremony in May, and must demonstrate service and leadership; Distinguished Graduates are chosen annually through a competitive process, which includes the submission of an essay and the completion of a service project that promotes graduation; and

WHEREAS, Christiana's accomplishments bear witness to her dedication and outstanding academic abilities, and she is truly worthy of recognition for her achievements; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby pay tribute to Christiana Johnson, a San Antonio College Distinguished Graduate, and extend to her sincere best wishes for success in all her future endeavors; and, be it further

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

SR 646 was again read.

The resolution was previously adopted on Monday, April 15, 2013.

GUESTS PRESENTED

Senator Van de Putte was recognized and introduced to the Senate Christiana Johnson, a Distinguished Graduate of San Antonio College, accompanied by her husband, Kenneth Carel, and their son, Owen Kress.

The Senate welcomed its guests.

SENATE RESOLUTION 732

Senator Lucio offered the following resolution:

SR 732, Recognizing the 75th anniversary of the Charro Days Fiesta.

The resolution was read and was adopted without objection.

GUESTS PRESENTED

Senator Lucio was recognized and introduced to the Senate a Charro Days Fiesta delegation, accompanied by executive committee members Henry LeVrier, Norma LeVrier, and Carlos Banales, Executive Director.

The Senate welcomed its guests.

SENATE RESOLUTION 685

Senator Campbell offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to honor Dr. Robert Paul Johnson, who recently retired after a successful 50-year career in the practice of oral and maxillofacial surgery; and

WHEREAS, This exceptional surgeon can take pride in having served his country and his community with extraordinary dedication through the practice of his profession over many years; and

WHEREAS, Dr. Johnson began his career in the United States Air Force; he married Charlene C. Jonietz on March 7, 1957, and together they raised two daughters, Kimberly and Jill; and

WHEREAS, Dr. Johnson served as chairman of the Department of Oral and Maxillofacial Surgery at Wilford Hall United States Air Force Medical Center at Lackland Air Force Base from 1976 to 1980, and he simultaneously served as director of the department's residency program; he retired from the United States Air Force with the rank of colonel in 1980, after 25 years of military service, and he was awarded the Legion of Merit for his outstanding service and achievements; and

WHEREAS, In 1980, Dr. Johnson founded the practice that would become Alamo Maxillofacial Surgical Associates, from which he would retire in 2012; the surgical center has grown into one of the largest such practices in San Antonio and South Central Texas; and

WHEREAS, Dr. Johnson is widely known for his expertise in the use of hyperbaric oxygen in the management of osteoradionecrosis of the jaws in head and neck cancer patients; he has lectured internationally and written extensively on the benefits of such treatment; and

WHEREAS, This exemplary gentleman is much admired and respected by his colleagues and deeply revered by his many patients, and he will long be celebrated for his outstanding contributions to his profession; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby commend Dr. Robert Paul Johnson on his dedication to serving his country and his fellow man through the practice of oral and maxillofacial surgery and extend to him sincere best wishes for the retirement years ahead; and, be it further

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

SR 685 was again read.

The resolution was previously adopted on Tuesday, April 16, 2013.

GUESTS PRESENTED

Senator Campbell was recognized and introduced to the Senate Dr. Robert Johnson and his wife, Charlene.

The Senate welcomed its guests.

SENATE RESOLUTION 592

Senator Huffman offered the following resolution:

SR 592, In memory of Suzanne McDaniel.

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

In honor of the memory of Suzanne McDaniel, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Huffman was recognized and introduced to the Senate family members of Suzanne McDaniel: Marion McDaniel, Jr., and his wife, Mary; and her nephews, Mark McDaniel and Marion McDaniel III.

The Senate welcomed its guests and extended its sympathy.

INTRODUCTION OF BILLS AND RESOLUTIONS POSTPONED

The Presiding Officer 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.

CONCLUSION OF MORNING CALL

The Presiding Officer at 3:40 p.m. announced the conclusion of morning call.

COMMITTEE SUBSTITUTE SENATE BILL 1670 ON SECOND READING

Senator Nichols moved to suspend the regular order of business to take up for consideration **CSSB 1670** at this time on its second reading:

CSSB 1670, Relating to the fees for oversize and overweight vehicle permits.

The motion prevailed.

Senator Hancock 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: Hancock.

COMMITTEE SUBSTITUTE SENATE BILL 1670 ON THIRD READING

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1670** be placed on its third reading and final passage.

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

Nays: Hancock.

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 1671 ON SECOND READING**

On motion of Senator Nichols and by unanimous consent, the regular order of business was suspended to take up for consideration **CSSB 1671** at this time on its second reading:

CSSB 1671, Relating to the fines for and other enforcement of laws providing for the operation of oversize or overweight vehicles.

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 1671 ON THIRD READING**

Senator Nichols moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1671** 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 190 ON SECOND READING**

Senator Huffman moved to suspend the regular order of business to take up for consideration **CSSB 190** at this time on its second reading:

CSSB 190, Relating to the prescription and pharmaceutical substitution of biological products.

The motion prevailed.

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

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 190** (senate committee report) in SECTION 5 of the bill, immediately following proposed Section 562.006(f), Occupations Code (page 2, between lines 46 and 47), by inserting the following:

(f-1) Subsection (f) and this subsection expire December 31, 2015.

The amendment to **CSSB 190** 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 Huffman and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 190 as amended was passed to engrossment by a viva voce vote.

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

Nays: Deuell, Seliger.

**COMMITTEE SUBSTITUTE
SENATE BILL 190 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 **CSSB 190** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

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

Nays: Deuell, Seliger.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 991 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSSB 991** at this time on its second reading:

CSSB 991, Relating to the release of certain inmates on medically recommended intensive supervision.

The motion prevailed.

Senators Birdwell, Campbell, Hancock, Huffman, Nelson, Nichols, 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, Campbell, Hancock, Huffman, Nelson, Nichols, Patrick.

**COMMITTEE SUBSTITUTE
SENATE BILL 991 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 991** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 6.

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

Nays: Campbell, Hancock, Huffman, Nelson, Nichols, Patrick.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

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

Nays: Birdwell, Campbell, Hancock, Huffman, Nelson, Nichols, Patrick.

COMMITTEE SUBSTITUTE
SENATE BILL 1756 ON SECOND READING

Senator Uresti moved to suspend the regular order of business to take up for consideration **CSSB 1756** at this time on its second reading:

CSSB 1756, Relating to the expedited processing of certain applications for permits under the Clean Air Act; authorizing a surcharge.

The motion prevailed.

Senators Seliger and Watson 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: Seliger, Watson.

COMMITTEE SUBSTITUTE
SENATE BILL 1756 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 1756** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

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

Nays: Seliger, Watson.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

COMMITTEE SUBSTITUTE
SENATE JOINT RESOLUTION 55 ON SECOND READING

Senator Williams moved to suspend the regular order of business to take up for consideration **CSSJR 55** at this time on its second reading:

CSSJR 55, Proposing a constitutional amendment appropriating money from the system benefit fund for the purpose of returning system benefit fund fees to retail electric customers.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Birdwell, Campbell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Whitmire, Williams.

Nays: Davis, Ellis, Garcia, Lucio, Rodríguez, Uresti, Van de Putte, Watson, West, Zaffirini.

The resolution was read second time.

Senator Williams offered the following amendment to the resolution:

Floor Amendment No. 1

Amend **CSSJR 55** (senate committee printing) in SECTION 2 of the bill, between "customers" and the period (page 2, line 4), by inserting "as provided by the Texas Legislature".

The amendment to **CSSJR 55** 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 Williams and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

CSSJR 55 as amended was passed to engrossment by the following vote: Yeas 21, Nays 10.

Yeas: Birdwell, Campbell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Whitmire, Williams.

Nays: Davis, Ellis, Garcia, Lucio, Rodríguez, Uresti, Van de Putte, Watson, West, Zaffirini.

COMMITTEE SUBSTITUTE
SENATE BILL 1655 ON SECOND READING

Senator Williams moved to suspend the regular order of business to take up for consideration **CSSB 1655** at this time on its second reading:

CSSB 1655, Relating to authorizing the Public Utility Commission of Texas to direct the comptroller to return the unappropriated balance of the system benefit fund to retail electric customers.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Birdwell, Campbell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Whitmire, Williams.

Nays: Davis, Ellis, Garcia, Lucio, Rodríguez, Uresti, Van de Putte, Watson, West, Zaffirini.

The bill was read second time.

Senator Williams offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1655** (Senate committee report) in Section 1 of the bill, in added Section 39.9039, Utilities Code, as follows:

(1) In Subsection (b) of that section (page 1, lines 46-50), strike "so that the entities receive disbursements in proportion to the fees paid by retail electric customers in the service areas of the entities since the system benefit fund fee was first imposed under Section 39.903" and substitute "so that each entity receives an amount necessary to give each retail electric customer that has customer choice an equal credit so that the total of the credits equals the total amount disbursed".

(2) In Subsection (c) of that section (page 1, line 53), strike "electric customers" and substitute "electric customers that have customer choice".

(3) In Subsection (c) of that section (page 1, line 55), strike "receive credits" and substitute "each receive equal credits".

The amendment to **CSSB 1655** 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 Ellis offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1655** (Senate committee printing) as follows:

(1) On page 1, line 42, between "credit" and "retail", insert "low-income".

(2) On page 1, line 58, between "that" and "retail", insert "low-income".

(3) On page 2, line 16, insert the following and renumber subsequent subsections accordingly: "(f) For the purposes of this section, "low-income retail electric customer" shall have the same definition as "low-income electric customer" in Sec. 39.903.".

(g) Any disbursement made under this section must be used for weatherization."

ELLIS
WEST

The amendment to **CSSB 1655** was read.

On motion of Senator Williams, Floor Amendment No. 2 was tabled by the following vote: Yeas 19, Nays 12.

Yeas: Birdwell, Campbell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Huffman, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Williams.

Nays: Davis, Ellis, Garcia, Hinojosa, Lucio, Rodríguez, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1655** (Senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION ____ DISBURSEMENT OF SYSTEM BENEFIT FUND BALANCE. (a) The amount of \$50.4 million is appropriated out of the system benefit fund for the two-year period beginning on the effective date of this Act to the Health and Human Services Commission to provide the state's share of the cost of expanding the categories of persons eligible to enroll in the Medicaid program to the maximum extent allowed for receipt of federal matching funds under the federal Patient Protection and Affordable Care Act (Pub. L. No. 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152).

(b) It is the intent of the legislature that, as soon as possible after the effective date of this Act and using amounts appropriated in Subsection (a) of this section, the executive commissioner of the Health and Human Services Commission shall take all necessary actions authorized by law to expand eligibility for enrollment in the Medicaid program beginning January 1, 2014, including notifying appropriate federal agencies of that expanded eligibility.

ELLIS
DAVIS
WEST

The amendment to **CSSB 1655** was read.

POINT OF ORDER

Senator Williams raised a point of order that Floor Amendment No. 3 was not germane to the body of the bill.

POINT OF ORDER RULING

The Presiding Officer, Senator Eltife in Chair, ruled that the point of order was well-taken and sustained.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 1655** (Senate committee printing) by amending Subsection (b) to read as follows:

(b) The commission shall, after providing a 20 percent utility discount to low-income retail customers, direct the comptroller to disburse as much as practicable of the balance described by Subsection (a) as soon as practicable and before September 1, 2014, in one or more installments to transmission and distribution utilities, retail electric providers, municipally owned utilities, or electric cooperatives under the system established under Subsection (a) so that the entities receive

disbursements in proportion to the fees paid by retail electric customers in the service areas of the entities since the system benefit fund fee was first imposed under Section 39.903.

The amendment to **CSSB 1655** was read.

On motion of Senator Williams, Floor Amendment No. 4 was tabled by the following vote: Yeas 19, Nays 12.

Yeas: Birdwell, Campbell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Huffman, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Williams.

Nays: Davis, Ellis, Garcia, Hinojosa, Lucio, Rodríguez, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

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

CSSB 1655 as amended was passed to engrossment by the following vote: Yeas 21, Nays 10.

Yeas: Birdwell, Campbell, Carona, Deuell, Duncan, Eltife, Estes, Fraser, Hancock, Hegar, Hinojosa, Huffman, Nelson, Nichols, Patrick, Paxton, Schwertner, Seliger, Taylor, Whitmire, Williams.

Nays: Davis, Ellis, Garcia, Lucio, Rodríguez, Uresti, Van de Putte, Watson, West, Zaffirini.

COMMITTEE SUBSTITUTE SENATE BILL 1795 ON SECOND READING

Senator Watson moved to suspend the regular order of business to take up for consideration **CSSB 1795** at this time on its second reading:

CSSB 1795, Relating to the regulation of navigators for health benefit exchanges.

The motion prevailed.

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

The bill was read second time.

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1795**, in SECTION 1 of the bill, in proposed Sec. 4154.001, Insurance Code (Committee printing page 1, line 28), as follows:

1) between "PURPOSE." and "The" by inserting "Since the State of Texas opted out of implementing a state exchange, pursuant to the Patient Protection and Affordable Care Act (Pub. L. No. 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152),";

2) by striking "The" and inserting "the".

The amendment to **CSSB 1795** 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 Watson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

CSSB 1795 as amended was passed to engrossment by a viva voce vote.

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

Nays: Paxton.

COMMITTEE SUBSTITUTE SENATE BILL 1795 ON THIRD READING

Senator Watson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 1795** be placed on its third reading and final passage.

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

Nays: Paxton.

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 1247 ON SECOND READING

Senator Carona moved to suspend the regular order of business to take up for consideration **CSSB 1247** at this time on its second reading:

CSSB 1247, Relating to credit services organizations and extensions of consumer credit facilitated by credit services organizations; providing a civil penalty.

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

Yeas: Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Estes, Garcia, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Paxton, Rodriguez, Schwertner, Seliger, Uresti, Van de Putte, Watson, West.

Nays: Birdwell, Fraser, Hancock, Taylor, Whitmire, Zaffirini.

Absent: Williams.

The bill was read second time.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 1

Amend **CSSB 1247** in SECTION 14 of the bill, following added Section 393.633(b), Finance Code (Senate committee printing, page 8, line 41), between "Local Government Code" and the period, by inserting ", or an ordinance adopted to generally apply to businesses or other persons that relates to general health and safety matters, including building code compliance, fire inspections, and sign regulations."

"(c) This Section expires September 1, 2015".

DAVIS
LUCIO

VAN DE PUTTE
WATSON
WEST

The amendment to **CSSB 1247** was read and was adopted by a viva voce vote.

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

Nays: Estes, Taylor.

Absent: Williams.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 2

Amend **CSSB 1247** in SECTION 14 of the bill, by striking added Section 393.630(c), Finance Code (Senate committee printing, page 7, lines 28 through 38), and substituting the following:

(c) A credit access business shall in good faith verify that a consumer is not falsifying the certification required by Subsection (b), to the best knowledge and ability of the person acting on behalf of the credit access business for that transaction. A person acting on behalf of a credit access business has satisfied this requirement if the person considers all information that the consumer shares with the person in negotiating the transaction and if the person makes a reasonable effort to verify the consumer's representations with any records that the credit access business typically consults in the normal course of its business.

VAN DE PUTTE
DAVIS
LUCIO
WATSON
WEST

The amendment to **CSSB 1247** was read and was adopted by a viva voce vote.

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

Absent: Williams.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 3

Amend **CSSB 1247** (Senate committee printing) as follows:

(1) In SECTION 14 of the bill, after added Section 393.634(f), Finance Code (page 9, between lines 46 and 47) insert the following:

(g) A credit access business shall accept a partial payment that complies with Section 393.629(c) paid by a consumer or on behalf of a consumer to pay down outstanding principal owed under a single-payment deferred presentment transaction that the credit access business obtained for the consumer or assisted the consumer in obtaining.

(2) In SECTION 14 of the bill, after added Section 393.636(f), Finance Code (page 11, between lines 34 and 35) insert the following:

(g) A credit access business shall accept a partial payment that complies with Section 393.629(c) paid by a consumer or on behalf of a consumer to pay down outstanding principal owed under a single-payment motor vehicle title loan that the credit access business obtained for the consumer or assisted the consumer in obtaining.

DAVIS
LUCIO
VAN DE PUTTE
WATSON
WEST

The amendment to **CSSB 1247** 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. 3 except as follows:

Absent: Williams.

Senator West offered the following amendment to the bill:

Floor Amendment No. 4

Amend **CSSB 1247** in SECTION 6 of the bill, following added Section 393.308(d), Finance Code (Senate committee printing, page 4, between lines 42 and 43), by inserting the following:

(e) Notwithstanding Section 14.252, the commissioner may assess an administrative penalty in an amount not to exceed \$2,000 for each violation, against a credit access business that violates this section, regardless of whether the violation is knowing or willful.

(f) A consumer may maintain an action under this section for any violation of this section. In any suit filed under this section, a consumer may recover:

- (1) damages in an amount not to exceed \$10,000 for each violation, and
- (2) court costs and reasonable and necessary attorney's fees.

WEST
DAVIS
LUCIO
VAN DE PUTTE

The amendment to **CSSB 1247** 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. 4 except as follows:

Nays: Estes, Taylor.

Absent: Williams.

Senator West offered the following amendment to the bill:

Floor Amendment No. 5

Amend **CSSB 1247** in SECTION 11 of the bill, following added Section 393.625(b), Finance Code (Senate committee printing, page 6, between lines 3 and 4), by inserting the following:

(c) The finance commission shall adopt a disclosure relating to the provisions of state and federal law applicable to a military borrower who obtains an extension of consumer credit from or with the assistance of a credit access business. A credit access business shall provide this disclosure to military borrowers for whom the credit access business seeks to obtain an extension of consumer credit.

(d) Notwithstanding Section 14.252, the commissioner may assess an administrative penalty in an amount not to exceed \$5,000 for each violation, against a credit access business that violates this section, regardless of whether the violation is knowing or willful.

WEST
DAVIS
LUCIO
VAN DE PUTTE
WATSON

The amendment to **CSSB 1247** 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. 5 except as follows:

Absent: Williams.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 6

Amend **CSSB 1247** (Senate committee printing) as follows:

(1) In SECTION 14 of the bill, in added Section 393.634(a), Finance Code (page 8, line 43), strike "amount advanced to a consumer" and substitute "sum of all fees, principal, interest, and other amounts due".

(2) In SECTION 14 of the bill, in added Section 393.636(a), Finance Code (page 10, line 31) strike "amount advanced to a consumer" and substitute "sum of all fees, principal, interest, and other amounts due".

LUCIO
DAVIS
VAN DE PUTTE
WATSON
WEST

The amendment to **CSSB 1247** 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. 6 except as follows:

Nays: Estes, Taylor.

Absent: Williams.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 7

Amend **CSSB 1247** (Senate committee printing) as follows:

(1) In SECTION 3 of the bill, in amended Section 393.201(b)(2), Finance Code (page 3, line 16), between "consumer" and the comma, insert "or on behalf of a third party".

(2) In SECTION 3 of the bill, in amended Section 393.201(b)(2), Finance Code (page 3, line 19), strike ", unless otherwise permitted under this chapter" and substitute "or the period permitted under an extended payment plan authorized by Subchapter G".

(3) In SECTION 14 of the bill, following added Section 393.629(c), Finance Code (page 7, between lines 14 and 15), insert the following:

(d) The term of an extension of consumer credit obtained for a consumer by a credit access business or that a credit access business assists a consumer in obtaining may not exceed 180 days. If a term of less than 180 days for an extension of consumer credit is specified under this chapter, the shorter term applies.

(4) In SECTION 14 of the bill, in added Section 393.635(e), Finance Code (page 10, lines 18-21), strike "may be refinanced only one time, and the combined terms of the original extension of consumer credit and the refinanced extension of consumer credit may not exceed 365 days or include more than 24 installments" and substitute "may not be refinanced, may not include more than 12 installments, and may not have a term that exceeds 180 days, excluding an extended payment plan offered in compliance with Section 393.638".

(5) In SECTION 14 of the bill, in added Section 393.635(f), Finance Code (page 10, lines 22-24), strike "Notwithstanding Subsection (e), a credit access business may offer a consumer an extended payment plan in which the extension of consumer credit is extended beyond 365 days" and substitute "A credit access business may offer a consumer an extended payment plan".

(6) In SECTION 14 of the bill, in added Section 393.636(b), Finance Code (page 10, line 49), strike "60" and substitute "35".

(7) In SECTION 14 of the bill, in added Section 393.636(c), Finance Code (page 10, line 53), insert the following immediately after the period:

The combined terms of the original extension of consumer credit and any refinanced extensions of consumer credit, excluding an extended payment plan offered in compliance with Subsection (f) or Section 393.638, may not exceed 180 days. The credit access business shall fully describe the terms of an extended payment plan, including all due dates and the amount due on each due date, to the consumer before the consumer enters into the extended payment plan.

(8) In SECTION 14 of the bill, in added Section 393.637(d), Finance Code (page 11, line 65), strike "12 installments" and substitute "six installments".

(9) In SECTION 14 of the bill, in added Section 393.637(f), Finance Code (page 12, line 9), strike "365" and substitute "180".

(10) In SECTION 14 of the bill, in added Section 393.637(g), Finance Code (page 12, line 16), strike "365" and substitute "180".

LUCIO
DAVIS
VAN DE PUTTE
WATSON
WEST

The amendment to **CSSB 1247** 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. 7 except as follows:

Nays: Estes.

Absent: Williams.

Senator Lucio offered the following amendment to the bill:

Floor Amendment No. 8

Amend **CSSB 1247** in SECTION 2 of the bill, in added Subdivision 393.001(10) (B), Finance Code (Senate committee printing, page 2, line 55), by striking "fifth" and substituting "seventh".

LUCIO
DAVIS
VAN DE PUTTE
WATSON
WEST

The amendment to **CSSB 1247** 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. 8 except as follows:

Absent: Williams.

Senator Van de Putte offered the following amendment to the bill:

Floor Amendment No. 9

Amend **CSSB 1247** in SECTION 14 of the bill by striking added Section 393.632(a)(8), Finance Code (Senate committee printing, page 8, lines 4-6) and renumbering the subsequent section accordingly.

VAN DE PUTTE
DAVIS
LUCIO
WATSON
WEST

The amendment to **CSSB 1247** 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. 9 except as follows:

Absent: Williams.

Senator Whitmire offered the following amendment to the bill:

Floor Amendment No. 10

Amend **CSSB 1247** in SECTION 14 of the bill by striking added Section 393.633, Finance Code (Senate committee printing, page 8, lines 35-41), and substituting the following:

Sec. 393.633. CERTAIN LOCAL ORDINANCES NOT PREEMPTED. This chapter does not preempt a local ordinance regulating a credit access business or an extension of consumer credit obtained for a consumer by a credit access business or that a credit access business assists a consumer in obtaining, if the ordinance is compatible with and equal to or more stringent than a requirement prescribed by this chapter.

The amendment to **CSSB 1247** was read.

Senator Carona moved to table Floor Amendment No. 10.

The motion to table was lost by the following vote: Yeas 8, Nays 22.

Yeas: Birdwell, Carona, Deuell, Duncan, Estes, Hegar, Lucio, Seliger.

Nays: Campbell, Davis, Ellis, Eltife, Fraser, Garcia, Hancock, Hinojosa, Huffman, Nelson, Nichols, Patrick, Paxton, Rodríguez, Schwertner, Taylor, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Absent: Williams.

Question recurring on the adoption of Floor Amendment No. 10 to **CSSB 1247**, the amendment was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 10 except as follows:

Absent: Williams.

Senator Whitmire offered the following amendment to the bill:

Floor Amendment No. 11

Amend **CSSB 1247** (Senate committee printing) as follows:

(1) In the recital to SECTION 14 of the bill (page 6, line 58), strike "Sections 393.629 through 393.640" and substitute "Sections 393.629 through 393.632 and Sections 393.634 through 393.640".

(2) In SECTION 14 of the bill, strike added Section 393.633, Finance Code (page 8, lines 35-41).

The amendment to **CSSB 1247** was read.

Senator Whitmire withdrew Floor Amendment No. 11.

Senator Ellis offered the following amendment to the bill:

Floor Amendment No. 12

Amend **CSSB 1247** (Senate committee printing) as follows:

(1) In the recital to SECTION 6 of the bill (page 4, line 19), strike "Section 393.308" and substitute "Sections 393.308 and 393.309".

(2) In SECTION 6 of the bill, immediately following added Section 393.308, Finance Code (page 4, between lines 42 and 43), insert the following:

Sec. 393.309. RESTRICTION ON INTEREST CHARGED IN CONNECTION WITH EXTENSION OF CONSUMER CREDIT FACILITATED BY CREDIT ACCESS BUSINESS. (a) For purposes of this section, the annual percentage rate of an extension of consumer credit is calculated including the total charges charged to the consumer in connection with the extension of consumer credit, including interest, lender charges, and any fees or any other valuable consideration received by the credit access business.

(b) The annual percentage rate of an extension of consumer credit that a credit access business obtains for a consumer or assists a consumer in obtaining may not exceed 36 percent.

(3) In SECTION 7 of the bill, in the first sentence of amended Section 393.602(b), Finance Code (page 4, line 51), strike "A" and substitute "Subject to Section 393.309, a [A]".

The amendment to **CSSB 1247** was read and was adopted by the following vote: Yeas 17, Nays 13.

Yeas: Birdwell, Campbell, Davis, Ellis, Eltife, Garcia, Hinojosa, Huffman, Nelson, Patrick, Rodríguez, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Carona, Deuell, Duncan, Estes, Fraser, Hancock, Hegar, Lucio, Nichols, Paxton, Schwertner, Seliger, Taylor.

Absent: Williams.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 13

Amend **CSSB 1247** (Senate committee printing) as follows:

(1) In the recital to SECTION 6 of the bill (page 4, line 19), strike "Section 393.308" and substitute "Sections 393.308 and 393.309".

(2) In SECTION 6 of the bill, immediately following added Section 393.308, Finance Code (page 4, between lines 42 and 43), insert the following:

Sec. 393.309. RESTRICTION ON AMOUNT CHARGED IN CONNECTION WITH EXTENSION OF CONSUMER CREDIT. Total charges in connection with an extension of consumer credit that a credit services organization obtains for a consumer or assists the consumer in obtaining, including interest, lender charges, and any valuable consideration received by the credit services organization, may not exceed the permissible interest and fee and other charges for a similar type of consumer loan under Subchapter F, Chapter 342.

(3) In SECTION 7 of the bill, in amended Section 393.602(b), Finance Code (page 4, line 51), strike "(b) A" and substitute "(b) Subject to Section 393.309, a [A]".

The amendment to **CSSB 1247** was read and was adopted by the following vote: Yeas 19, Nays 11.

Yeas: Campbell, Carona, Davis, Duncan, Ellis, Eltife, Garcia, Hinojosa, Huffman, Lucio, Patrick, Paxton, Rodríguez, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Deuell, Estes, Fraser, Hancock, Hegar, Nelson, Nichols, Schwertner, Seliger, Taylor.

Absent: Williams.

REMARKS ORDERED PRINTED

On motion of Senator Van de Putte and by unanimous consent, the question and answer regarding Floor Amendment No. 12 and Floor Amendment No. 13 to **CSSB 1247** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Van de Putte: Thank you. My question is, the amendment that we just accepted by Senator Ellis governs provision in Section 393.309, Senator Davis' amendment addresses this same Section. My question is, if both are accepted which one prevails when it is sent over to the House?

Presiding Officer: Members, the answer to Senator Van de Putte's question is that the amendments will be reconciled and both go in. If they cannot be reconciled, the last amendment on prevails.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 14

Amend **CSSB 1247** (Senate committee printing) as follows:

(1) Strike the recital of SECTION 8 of the bill, amending Section 393.604(a), Finance Code (page 4, lines 68-69), and substitute "Section 393.604, Finance Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:".

(2) In SECTION 8 of the bill, in amended Section 393.604(a)(4), Finance Code (page 5, line 12), strike "and" and substitute "[~~and~~]".

(3) In SECTION 8 of the bill, in amended Section 393.604(a)(5), Finance Code (page 5, line 13), between "(5)" and "contain", insert the following:
include a copy of each agreement between the business and a third-party lender organization:

(A) with which the business contracts to provide services; or

(B) from which the business arranges extensions of consumer credit;

and

(6)

(4) In SECTION 8 of the bill, in amended Section 393.604, Finance Code (page 5, between lines 15 and 16), insert the following:

(d) Information provided by an applicant under this section is public information for the purposes of Chapter 552, Government Code.

The amendment to **CSSB 1247** was read and was adopted by the following vote: Yeas 17, Nays 13.

Yeas: Carona, Davis, Duncan, Ellis, Eltife, Garcia, Hancock, Hinojosa, Lucio, Patrick, Rodriguez, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Campbell, Deuell, Estes, Fraser, Hegar, Huffman, Nelson, Nichols, Paxton, Schwertner, Seliger, Taylor.

Absent: Williams.

Senator Davis offered the following amendment to the bill:

Floor Amendment No. 15

Amend **CSSB 1247** (Senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS accordingly:

SECTION __. Subchapter M, Chapter 342, Finance Code, is amended by adding Section 342.607 to read as follows:

Sec. 342.607. DEFERRED PRESENTMENT TRANSACTION DATA COLLECTION SYSTEM. (a) In this section, "credit access business" has the meaning assigned by Section 393.001(2-a).

(b) The commissioner shall establish and implement a database for the compilation of information relating to deferred presentment transactions that allows the commissioner or persons who offer, service, or broker the transactions, including a credit access business, to determine:

(1) whether an individual seeking to enter into a deferred presentment transaction with the person has any outstanding deferred presentment transactions entered into with other persons;

(2) the total number of outstanding deferred presentment transactions entered into by the individual described by Subdivision (1) with other persons; and

(3) whether the person is in compliance with this section and other provisions of law governing deferred presentment transactions.

(c) The commissioner shall contract with a third-party vendor to operate the database required by this section. In selecting the vendor, the commissioner shall:

(1) consider the vendor's ability to meet the requirements of this section;

(2) consider the cost of the vendor's services;

(3) give strong consideration to the vendor's ability to prevent fraud, abuse, and other unlawful activity associated with deferred presentment transactions;

(4) give strong consideration to whether the vendor operates a similar database in another state; and

(5) give strong consideration to whether the vendor's operation of the database would facilitate the enforcement of laws governing deferred presentment transactions and the persons who offer, service, or broker those transactions.

(d) The commissioner shall ensure that:

(1) the third-party vendor operating the database operates the database in accordance with this section and rules adopted by the finance commission under this section; and

(2) the database established under this section:

(A) allows persons required to submit information to the database to submit and access the required information from any location in this state;

(B) provides real-time access by the commissioner to information contained in the database from any location in this state; and

(C) contains safeguards to ensure that information contained in the database may not be accessed by an unauthorized person.

(e) A person who offers, services, or brokers a deferred presentment transaction, including a credit access business, shall submit to the database at the time the transaction is entered into data relating to the transaction that the commissioner, by rule of the finance commission, determines necessary.

(f) Information in the database is confidential and is not subject to disclosure under Chapter 552, Government Code.

(g) The finance commission shall adopt rules as necessary to implement this section, including rules:

(1) relating to the form and content of information to be submitted to the database;

(2) prescribing a fee to be paid by persons required to submit information to be included in the database under Subsection (e); and

(3) establishing requirements for the retention, archiving, and deletion of information entered into or stored in the database.

(h) The third-party vendor shall charge a person who offers, services, or brokers a deferred presentment transaction a fee to access or use the database under this section. The fee may be charged on a per-transaction basis and may be used only to pay the costs associated with the maintenance of the database under this section. The finance commission by rule must approve the amount of the fee, which may not exceed \$1 per deferred presentment transaction.

(i) A person who ceases to offer, service, or broker deferred presentment transactions shall continue to submit information required by this section for any transactions that are outstanding and with respect to which the person continues collection efforts. Not later than the 10th day after the date the person ceases to offer deferred presentment transactions, the person shall submit to the commissioner for approval a plan for continuing compliance with this section. The commissioner shall promptly approve or disapprove the plan. The commissioner may require a person to whom this subsection applies to submit a new or modified plan.

SECTION ____. The consumer credit commissioner shall establish and implement the database under Section 342.607, Finance Code, as added by this Act, not later than January 1, 2014, and shall prescribe the date by which a person who offers, services, or brokers a deferred presentment transaction must begin submitting data as provided by that section.

The amendment to **CSSB 1247** was read and was adopted by the following vote: Yeas 16, Nays 14.

Yeas: Carona, Davis, Duncan, Ellis, Eltife, Garcia, Hinojosa, Lucio, Patrick, Rodríguez, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Campbell, Deuell, Estes, Fraser, Hancock, Hegar, Huffman, Nelson, Nichols, Paxton, Schwertner, Seliger, Taylor.

Absent: Williams.

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

CSSB 1247 as amended was passed to engrossment by the following vote: Yeas 24, Nays 6.

Yeas: Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Garcia, Hancock, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Rodriguez, Schwertner, Seliger, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Estes, Fraser, Hegar, Paxton, Taylor.

Absent: Williams.

COMMITTEE SUBSTITUTE SENATE BILL 1247 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 1247** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 26, Nays 4.

Yeas: Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Fraser, Garcia, Hancock, Hegar, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Rodriguez, Schwertner, Seliger, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Estes, Paxton, Taylor.

Absent: Williams.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 6.

Yeas: Campbell, Carona, Davis, Deuell, Duncan, Ellis, Eltife, Garcia, Hancock, Hinojosa, Huffman, Lucio, Nelson, Nichols, Patrick, Rodriguez, Schwertner, Seliger, Uresti, Van de Putte, Watson, West, Whitmire, Zaffirini.

Nays: Birdwell, Estes, Fraser, Hegar, Paxton, Taylor.

Absent: Williams.

REMARKS ORDERED PRINTED

On motion of Senator Paxton and by unanimous consent, the remarks by Senators Paxton and Carona regarding **CSSB 1247** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Paxton: This bill amends Chapter 393 of the Finance Code which governs all credit service organizations including credit access businesses, payday, auto title lenders, and credit repair business, is that correct?

Senator Carona: Yes, that's correct.

Senator Paxton: Is it your intent that this bill change the way in which credit repair businesses currently operate in this state?

Senator Carona: No. Our intent is to change the way in which those credit services organizations do secure payday and auto title loans for consumers to operate in this state and nothing more.

Senator Paxton: Do you believe this bill will impair the way credit repair business ability to operate in this state, or that this bill will increase the regulatory burdens applicable to credit repair businesses?

Senator Carona: No, it is not my intent to in any way impact the way credit repair businesses operate in this state. When drafting this bill, I've worked closely with Commissioner Pettijohn of the Office of the Consumer Credit Commissioner to ensure it will not increase regulatory obligations applicable to credit repair businesses or to otherwise restrict operations.

Senator Paxton: If this bill has unintended consequences for credit repair businesses, will you consider legislation to address these consequences next session?

Senator Carona: Absolutely.

**VOTE RECONSIDERED ON
COMMITTEE SUBSTITUTE SENATE BILL 1756**

On motion of Senator Uresti and by unanimous consent, the vote by which **CSSB 1756** was finally passed was reconsidered:

CSSB 1756, Relating to the expedited processing of certain applications for permits under the Clean Air Act; authorizing a surcharge.

Question—Shall **CSSB 1756** be finally passed?

Senator Watson offered the following amendment to the bill:

Floor Amendment No. 1 on Third Reading

Amend **CSSB 1756** on third reading as follows:

(1) In SECTION 1 of the bill, in added Section 382.05155(b), Health and Safety Code, strike "shall" and substitute "may".

(2) In SECTION 1 of the bill, in added Section 382.05155, Health and Safety Code, following Subsection (f) Add subsection (g) to read as follows:

(g) A rule adopted under this section must be consistent with Chapter 2001 Government Code. A rule adopted under this section regarding notice must include a provision to require an indication that the application is being proceeded in an expedited manner.

(3) In SECTION 1 of the bill, in added Section 382.05155(d), Health and Safety Code, strike ", incentive pay,".

(4) In Section 1 of the bill, in added Section 382.05155(e), Health and Safety Code, in the first sentence, strike ", financial or other incentives,". In the second sentence, strike ", incentives,".

(5) In Section 1 of the bill, in added Section 382.05155(f), Health and Safety Code, strike ", financial or other incentives".

The amendment to **CSSB 1756** was read and was adopted by a viva voce vote.

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

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

CSSB 1756 as amended was finally passed by the following vote: Yeas 30, Nays 1.

Nays: Seliger.

REMARKS ORDERED PRINTED

On motion of Senator Watson and by unanimous consent, the remarks regarding Floor Amendment No. 1 on Third Reading to **CSSB 1756** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Watson: Thank you very much, Mr. President, and thank you, Senator Uresti, for the motion to reconsider. Members, this amendment does a few things. One, it makes the expedited process permissive and clarifies that TCEQ may choose to grant an expedited permit request rather than mandating that they do so, and, for example, say TCEQ may deny an expedited permit request if they find that doing so would negatively impact available resources, if doing so would diminish the quality of the review, or if doing so results in the delay of processing other applications. The amendment strikes language dealing with financial or other incentives that could have the unintended consequence of a permit being granted or granted first to the highest bidder, if you will. This language was broad and so until we have time to see how this might work and to ensure that we are not creating a conflict of interest, the focus needs to stay on paying for the overtime or contract labor needed to process the application and not providing a bonus or other financial incentives to state employees. And, finally, this amendment provides clarification to the rules adopted under the expedited process, and it shall be consistent with the Administrative Procedures Act and that notice to the public should state that the application is processed under the expedited rules. I believe that Senator Uresti agrees with my interpretation of what this amendment does, including the clarity on when TCEQ may deny an expedited permit request.

Senator Uresti: Members, it's acceptable. We've worked on this. It is acceptable to the author.

NOMINATION RETURNED

On motion of Senator Hegar and by unanimous consent, the Senate agreed to grant the request of the Governor to return the following nomination:

Member, Texas Commission on the Arts: Andrew Patrick Barlow, Travis County.

PERMISSION TO INTRODUCE BILL

Senator Whitmire moved to suspend Senate Rule 7.07(b) and Section 5, Article III, of the Texas Constitution to permit the introduction of the following bill: **SB 1907**.

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

Absent: Williams.

SENATE BILLS ON FIRST READING

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

SB 1905 by Rodríguez

Relating to the transfer of territory, assets, liabilities, and duties of the former Cuadrilla Improvement Corporation to the Lower Valley Water District.
To Committee on Natural Resources.

SB 1906 by Hegar

Relating to the creation of Fort Bend County Municipal Management District No. 1; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.
To Committee on Intergovernmental Relations.

SB 1907 by Hegar

Relating to the transportation and storage of concealed handguns and ammunition by students in vehicles on the campuses of institutions of higher education.
To Committee on Criminal Justice.

HOUSE BILLS ON FIRST READING

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

HB 15 to Committee on Health and Human Services.

HB 32 to Committee on Criminal Justice.

HB 63 to Committee on Transportation.

HB 252 to Committee on Natural Resources.

HB 278 to Committee on State Affairs.

HB 407 to Committee on Administration.

HB 436 to Committee on Intergovernmental Relations.

HB 441 to Committee on Transportation.

HB 477 to Committee on Administration.

HB 518 to Committee on Intergovernmental Relations.

HB 749 to Committee on Agriculture, Rural Affairs and Homeland Security.

HB 788 to Committee on Natural Resources.

HB 839 to Committee on Natural Resources.

HB 845 to Committee on Jurisprudence.

HB 847 to Committee on Jurisprudence.

HB 938 to Committee on Transportation.

HB 952 to Committee on State Affairs.

HB 1043 to Committee on Jurisprudence.

HB 1104 to Committee on State Affairs.

HB 1127 to Committee on Intergovernmental Relations.

HB 1205 to Committee on Criminal Justice.

HB 1227 to Committee on Health and Human Services.

HB 1237 to Committee on Intergovernmental Relations.

HB 1259 to Committee on Intergovernmental Relations.

HB 1741 to Committee on Health and Human Services.

HB 1844 to Committee on Higher Education.

HB 1969 to Committee on Intergovernmental Relations.

HB 2304 to Committee on Administration.

HB 3163 to Committee on Natural Resources.

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

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

**SENATE RULES SUSPENDED
(Posting Rules)**

On motion of Senator Whitmire and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Criminal Justice might meet and consider **SB 1907** today.

CO-AUTHORS OF SENATE BILL 16

On motion of Senator Zaffirini, Senators Garcia and Watson will be shown as Co-authors of **SB 16**.

CO-AUTHOR OF SENATE BILL 23

On motion of Senator Patrick, Senator Campbell will be shown as Co-author of **SB 23**.

CO-AUTHOR OF SENATE BILL 25

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

CO-AUTHOR OF SENATE BILL 376

On motion of Senator Lucio, Senator Zaffirini will be shown as Co-author of **SB 376**.

CO-AUTHOR OF SENATE BILL 460

On motion of Senator Deuell, Senator Zaffirini will be shown as Co-author of **SB 460**.

CO-AUTHOR OF SENATE BILL 538

On motion of Senator Rodríguez, Senator Ellis will be shown as Co-author of **SB 538**.

CO-AUTHOR OF SENATE BILL 665

On motion of Senator Nichols, Senator Campbell will be shown as Co-author of **SB 665**.

CO-AUTHOR OF SENATE BILL 835

On motion of Senator Lucio, Senator Hegar will be shown as Co-author of **SB 835**.

CO-AUTHOR OF SENATE BILL 1095

On motion of Senator Hinojosa, Senator Zaffirini will be shown as Co-author of **SB 1095**.

CO-AUTHOR OF SENATE BILL 1158

On motion of Senator Van de Putte, Senator Zaffirini will be shown as Co-author of **SB 1158**.

CO-AUTHOR OF SENATE BILL 1293

On motion of Senator West, Senator Ellis will be shown as Co-author of **SB 1293**.

CO-AUTHOR OF SENATE BILL 1309

On motion of Senator Davis, Senator Lucio will be shown as Co-author of **SB 1309**.

CO-AUTHOR OF SENATE BILL 1348

On motion of Senator West, Senator Patrick will be shown as Co-author of **SB 1348**.

CO-AUTHORS OF SENATE BILL 1795

On motion of Senator Watson, Senators Carona and Garcia will be shown as Co-authors of **SB 1795**.

CO-AUTHOR OF SENATE JOINT RESOLUTION 55

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

CO-AUTHOR OF SENATE RESOLUTION 583

On motion of Senator Rodríguez, Senator Patrick will be shown as Co-author of **SR 583**.

CO-AUTHORS OF SENATE RESOLUTION 662

On motion of Senator Uresti, Senators Davis, Ellis, Estes, Garcia, Hinojosa, Lucio, Rodríguez, Seliger, Van de Putte, Watson, West, Whitmire, and Zaffirini will be shown as Co-authors of **SR 662**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SR 708 by Watson, In memory of Benjamin Sontoya Aleman.

SR 709 by Watson, In memory of Patrick H. Murphy, Jr.

SR 730 by Ellis, In memory of Jack Franklin Hardwick.

SR 734 by Watson, In memory of Mary Elizabeth "Libby" Cantu.

SR 738 by Davis, In memory of Pamela Hsiu Lo Day.

SR 739 by Davis, In memory of Lylian "Randy" Berry, Jr.

SR 740 by Davis, In memory of Mary Frances Edge.

Congratulatory Resolutions

SR 699 by Birdwell, Hancock, Paxton, Taylor, and Watson, Recognizing the Baylor University men's basketball team for winning the 2013 National Invitational Tournament.

SR 707 by Schwertner, Recognizing Chris W. Hulen on the occasion of his retirement.

SR 710 by Watson, Recognizing Mark Nelsen on the occasion of his retirement.

SR 711 by Fraser, Recognizing Daniel Burlison for being ordained into the ministry.

SR 713 by Taylor, Recognizing Trent Steven Tomlinson on the occasion of his high school graduation.

SR 714 by Taylor, Recognizing Kennedy Jayleigh Timm on the occasion of her high school graduation.

SR 715 by Taylor, Recognizing Daniel Keith Slawson on the occasion of his high school graduation.

SR 716 by Taylor, Recognizing Angelica Christina Moore on the occasion of her high school graduation.

SR 717 by Taylor, Recognizing Nathan Luke Miles on the occasion of his high school graduation.

SR 718 by Taylor, Recognizing Savannah Brooke Jensen on the occasion of her high school graduation.

SR 719 by Taylor, Recognizing Lincoln Dewayne Hussey, Jr., on the occasion of his high school graduation.

SR 720 by Taylor, Recognizing Crystal Nicole Hussey on the occasion of her high school graduation.

SR 721 by Taylor, Recognizing Devin L. Hawkins on the occasion of his high school graduation.

SR 722 by Taylor, Recognizing Zachary Tyler Harden on the occasion of his high school graduation.

SR 723 by Taylor, Recognizing Paul Michael Crutcher on the occasion of his high school graduation.

SR 724 by Taylor, Recognizing Sara Beth Alpeter on the occasion of her high school graduation.

SR 725 by Campbell, Recognizing Susan Angell-Gonzalez on the occasion of her retirement.

SR 726 by Schwertner, Recognizing Victor and Modene Marek on the occasion of their 50th anniversary.

SR 728 by Ellis, Recognizing the 25th anniversary of Scouting at Brentwood Baptist Church.

SR 729 by Ellis, Recognizing Michael Strahan for being awarded an Honorary Doctorate of Humane Letters.

SR 731 by Hancock, Recognizing the Community Enrichment Center of Tarrant County on the occasion of its 25th anniversary.

SR 733 by Watson, Recognizing Colin G. Haza on the occasion of his retirement.

SR 735 by Davis, Recognizing Nancy and Roy Rimmer for receiving the 2013 Opening Doors Leader Award.

SR 736 by Davis, Recognizing Crescent Real Estate Holdings for receiving a 2012 National Commercial Real Estate Customer Service Award.

SR 737 by Davis, Recognizing Meals on Wheels of Tarrant County.

SR 742 by Zaffirini, Recognizing Manuel Blanco on the occasion of his retirement.

SR 743 by Zaffirini, Recognizing Mercy Ministries of Laredo on the occasion of its 10th anniversary.

Official Designation Resolutions

SR 712 by Nelson, Recognizing April 14 through 20, 2013, as American Osteopathic Medicine Week.

SR 727 by Lucio, Recognizing March of 2013 as National Athletic Training Month.

SR 741 by Campbell, Recognizing April 25, 2013, as Pay It Forward Day.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 7:42 p.m. adjourned, in memory of Daniel Jones and Suzanne McDaniel, 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:

April 22, 2013

JURISPRUDENCE — **CSSB 947**

HIGHER EDUCATION — **CSSB 691, CSSB 1145**

FINANCE — **SB 475, SB 1533**

GOVERNMENT ORGANIZATION — **CSSB 1207**

ECONOMIC DEVELOPMENT — **SB 1719, CSSB 1678, CSSB 1647**

HIGHER EDUCATION — **CSSB 1604**

CRIMINAL JUSTICE — CSSB 878, CSSB 1003, CSSB 1189, CSSB 1192, CSSB 1348, CSSB 1757, CSSB 1772

AGRICULTURE, RURAL AFFAIRS AND HOMELAND SECURITY — CSSB 1400, CSSB 1432, CSSB 1070, CSSB 1010

CRIMINAL JUSTICE — CSSB 592, CSSB 1428, CSSB 1448

FINANCE — CSSB 1151, CSSB 1508, CSSB 835

TRANSPORTATION — CSSB 1664

EDUCATION — CSSB 218, CSSB 1718

ECONOMIC DEVELOPMENT — CSSB 1585

NATURAL RESOURCES — CSSB 957, CSSB 4, CSHB 4

HIGHER EDUCATION — CSSB 460, CSSB 1810

EDUCATION — CSHB 5

INTERGOVERNMENTAL RELATIONS — CSSB 1046, CSSB 1262, CSSB 1691, SB 1854, CSSB 1856, SB 1858, SB 1859, SB 1861, SB 1862, CSSB 1864, SB 1869, SB 1872, CSSB 1884

VETERAN AFFAIRS AND MILITARY INSTALLATIONS — CSSB 1892

HEALTH AND HUMAN SERVICES — CSSB 1176, CSSB 1198, CSSB 1576, CSSB 1589, CSSB 1609, CSSB 1643, CSSB 1646, SB 1758

FINANCE — CSSB 1598

STATE AFFAIRS — SB 1133, SB 853, SB 1413

BILLS ENGROSSED

April 18, 2013

SB 10, SB 48, SB 164, SB 199, SB 260, SB 263, SB 264, SB 301, SB 303, SB 312, SB 467, SB 496, SB 503, SB 542, SB 607, SB 637, SB 646, SB 658, SB 670, SB 706, SB 727, SB 743, SB 745, SB 757, SB 768, SB 826, SB 834, SB 837, SB 843, SB 860, SB 863, SB 864, SB 871, SB 876, SB 889, SB 892, SB 910, SB 914, SB 955, SB 967, SB 970, SB 978, SB 985, SB 986, SB 993, SB 1004, SB 1009, SB 1017, SB 1063, SB 1064, SB 1065, SB 1066, SB 1067, SB 1068, SB 1069, SB 1071, SB 1072, SB 1073, SB 1075, SB 1084, SB 1090, SB 1099, SB 1157, SB 1159, SB 1199, SB 1225, SB 1226, SB 1235, SB 1253, SB 1266, SB 1296, SB 1356, SB 1372, SB 1385, SB 1411, SB 1422, SB 1425, SB 1429, SB 1474, SB 1476, SB 1487, SB 1548, SB 1672, SB 1703, SB 1705, SB 1759, SB 1773, SB 1792, SB 1822, SB 1823, SB 1824, SB 1825, SB 1829, SB 1830, SB 1831, SB 1832, SB 1843, SB 1876

RESOLUTIONS ENROLLED

April 18, 2013

SR 621, SR 697, SR 698, SR 700, SR 701, SR 702, SR 703, SR 704, SR 705

In Memory
of
Suzanne McDaniel
Senate Resolution 592

WHEREAS, Countless lives were touched by the pioneering work of Suzanne McDaniel, a tireless advocate for the rights of crime victims and witnesses, who passed away on May 21, 2012, at the age of 59; and

WHEREAS, This compassionate Texan fought to reform the criminal justice system during an era when the needs of victims and witnesses were often overlooked; at the time of her death, she was working as the first director of victim services for the Texas District and County Attorneys Association; and

WHEREAS, Born in Houston on January 7, 1953, Suzanne McDaniel was the daughter of Annie Mae Bucy McDaniel and Marion Embree McDaniel; she studied English literature and art at Southwestern University in Georgetown and earned her bachelor's degree in 1974; and

WHEREAS, She subsequently joined the Harris County District Attorney's Office, where she implemented the state's first prosecutor-based victim assistance program under the direction of district attorney Carol Vance; she was also involved in the development of the county's first community interagency councils on sexual assault and family violence as well as the first rape exam protocol for the Houston Hospital and Medical Associations; and

WHEREAS, After a decade with the district attorney's office, Suzanne McDaniel relocated to Austin in 1983 to establish the Texas Crime Victim Clearinghouse, the first statewide resource of its kind in the nation; she served as its director for eight years, during which time she wrote a number of groundbreaking reports on crime victims and coordinated educational and training conferences for victims, advocates, and allied professionals; and

WHEREAS, She was later tapped to serve the Office of the Attorney General as the victim assistance and communications director for its Crime Victim Services Division; acting as a legislative liaison in that post and others, she played a key role in the drafting and passage of such reforms as the Texas Constitutional Amendment on Crime Victim Rights, the Texas Crime Victims' Compensation Act, and the Texas Crime Victims Bill of Rights; and

WHEREAS, Suzanne McDaniel worked to bring the issue to the national stage by coordinating field hearings for President Reagan's Task Force on Victims of Crime, launched in 1984; she remained at the forefront of the national victims' rights movement as a member of the board of the National Organization for Victim Assistance for more than a decade in addition to sharing her time with other major advocacy groups; and

WHEREAS, In 1995, Bill Clinton presented her with the President's Award for Outstanding Service to Victims of Crime in recognition of her efforts to guide victims through the recovery process; among the numerous other accolades she received is the Citation of Merit from her alma mater in 2003; moreover, the Congressional Victims' Rights Caucus Award was rechristened the Suzanne McDaniel Public Awareness Award in 2008; and

WHEREAS, Despite her vast experience and unquestionable expertise, Suzanne McDaniel seldom sought attention for her accomplishments, instead using her resources to comfort, assist, and empower victims to maneuver through the criminal justice system and to rebuild their lives; although her loss is keenly felt, the grace, determination, and selflessness with which she lived her life will continue to inspire others for many years to come; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 83rd Legislature, hereby pay tribute to the memory of Suzanne McDaniel and extend sincere condolences to her bereaved family: her brother, Marion McDaniel, Jr., and his wife, Mary; her nephews, Mark McDaniel and Marion McDaniel III, and Marion's wife, Valerie, and daughter, Nathalie; and her other relatives and many friends; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her family, as an expression of deepest sympathy and that when the Senate adjourns this day, it do so in memory of Suzanne McDaniel.

HUFFMAN

