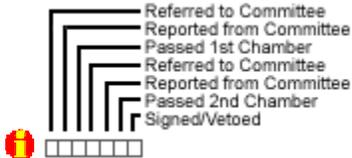




## BILLS FILED FROM 1/24/2013 - 1/31/2013

02-01-2013 - 18:45:36



[HB 10](#)

[Pitts, Jim\(R\)](#)

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

**Remarks:** WLJ - Supplemental appropriations to close out 82nd session. Medicaid, CHIP and schools.

**Last Action:** 1-24-13 H Filed

[HB 675](#)

[Ratliff, Bennett\(R\)](#)

Relating to regulation by a municipality or county of off-premise signs advertising sexually oriented businesses.

**Remarks:** MJV-Allows a city or county to regulate off-premise signs for sexually oriented business. Regulations may require the signs to be located in a particular area or may prohibit them within a certain distance from schools, churches, residences or highways.

**Last Action:** 1-24-13 H Filed

[HB 677](#)

[Geren, Charlie\(R\)](#)

Relating to the regulation and enforcement of dam safety by the Texas Commission on Environmental Quality.

**Remarks:** MJV-Increases the population bracket to all counties of less than 350,000 (currently 215,000) in which a dam owner on private property is exempt from safety regulations by TCEQ. Repeals the expiration date of the section of law.

**Last Action:** 1-24-13 H Filed

[HB 684](#)

[Johnson, Eric\(D\)](#)

Relating to the inclusion of an incarcerated person in the population data used for redistricting according to the person's last residence before incarceration.

**Companions:** [HB 329](#) Dutton, Harold(D) (Identical)  
12-21-12 H Filed

**Remarks:** MJV-Requires each local government that operates a correctional facility to submit a report on the facility's population to the comptroller following the 2020 federal census. The population data is to be included in redistricting based on the inmates' residence prior to incarceration.

**Last Action:** 1-24-13 H Filed

[HB 685](#)      [Marquez, Marisa\(D\)](#)      Relating to commissioners court oversight of certain emergency services districts.

**Remarks:** MJV-Gives commissioners court oversight authority for an Emergency Services District located in a county located on the Mexican Border and that has a population of more than 800,000.

**Last Action:** 1-24-13 H Filed

[HB 687](#)      [Marquez, Marisa\(D\)](#)      Relating to preliminary review of complaints filed with a county ethics commission.

**Companions:** [SB 334](#)      Rodriguez, Jose(D)      (Identical)  
2- 1-13 S Filed

**Remarks:** MJV-Allows a county ethics commission member to serve of a preliminary review committee as a review officer(underlying law bracketed to El Paso County).

**Last Action:** 1-24-13 H Filed

[HB 688](#)      [Marquez, Marisa\(D\)](#)      Relating to the confidentiality of certain autopsy records.

**Remarks:** MJV-Clarifies that a governmental body may withhold an autopsy photograph or x-ray from public disclosure without requesting an AG opinion.

**Last Action:** 1-24-13 H Filed

[HB 691](#)      [Phillips, Larry\(R\)](#)      Relating to the authority of a county or municipality to regulate the location of halfway houses.

**Remarks:** MJV-Allows a county or city to regulate halfway houses as needed to promote the public health, safety, or welfare. The regulations may restrict halfway houses to specific areas, require them to be a certain distance from schools, churches, and residences and may restrict the density of halfway houses. An operating permit may be required to operate a halfway house and the county may impose fees to cover the costs of the permit and inspections.

**Last Action:** 1-24-13 H Filed

- [HB 692](#)      [Phillips, Larry\(R\)](#)      Relating to the donation of juror reimbursements.
- Remarks:** MJV-Expands the programs that may be funded with donated jury pay to include any program approved by commissioners court.
- Last Action:** 1-24-13 H Filed
- [HB 693](#)      [Phillips, Larry\(R\)](#)      Relating to the authority of a water and sewer utility to collect voluntary contributions on behalf of a local library.
- Remarks:** WLJ- Allows a utility to apply a voluntary contribution, collected on its regular billings, to a local library.
- Last Action:** 1-24-13 H Filed
- [HB 695](#)      [Phillips, Larry\(R\)](#)      Relating to funding state highway markers.
- Remarks:** MJV-Prohibits TxDOT from designing, constructing, or erecting a highway marker unless a grant or donation is made to cover the cost. Requires TxDOT to accept grants or donations made for financing the construction and maintenance of a highway marker.
- Last Action:** 1-24-13 H Filed
- [HB 699](#)      [Davis, John\(R\)](#)      Relating to the location of certain public sales of real property.
- Remarks:** MJV-Allows public sales of real property to be made at a place designated by commissioners court. The location must be accessible and within reasonable proximity of the county courthouse. The sale cannot be held before the 90th day after the designation is recorded in the real property records of the county.
- Last Action:** 1-24-13 H Filed
- [HB 700](#)      [Lavender, George\(R\)](#)      Relating to the authority of a person who is licensed to carry a handgun to openly carry the handgun.
- Remarks:** MJV-Expands concealed handgun carry to include unconcealed handguns.
- Last Action:** 1-24-13 H Filed
- [HB 703](#)      [Canales, Terry\(D\)](#)      Relating to the hours of sale for liquor.
- Remarks:** WLJ - Allows liquor sales in border counties on Sunday from noon to 9pm.
- Last Action:** 1-24-13 H Filed

- [HB 708](#)      [Isaac, Jason\(R\)](#)      Relating to the appointment of a deputy constable.
- Remarks:** WLJ - Takes away the requirement that Commissioners Court approve a specific deputy constable, instead Commissioners Court approves the hiring of a deputy constable.
- Last Action:** 1-24-13 H Filed
- [HB 710](#)      [Callegari, Bill\(R\)](#)      Relating to the use by an active peace officer of the officer's rank or status to advertise or promote certain private businesses.
- Remarks:** WLJ - Prohibits a peace officer from using his rank or status to promote a private business which he has an ownership interest in.
- Last Action:** 1-25-13 H Filed
- [HB 712](#)      [Murphy, Jim\(R\)](#)      Relating to the responsibility for keeping fire-fighting equipment furnished to a volunteer fire department by a county in good working order.
- Remarks:** WLJ - Transfers responsibility for the maintenance, repairs and replacements of volunteer fire fighting equipment to the entity that petitioned for the equipment. Currently commissioners court is responsible for it.
- Last Action:** 1-25-13 H Filed
- [HB 714](#)      [Kuempel, John\(R\)](#)      Relating to an agreement between a county and the Department of Public Safety for the joint operation of certain fixed-site facilities.
- Remarks:** WLJ - allows the county and DPS to enter into a joint agreement to operate a stationary weight site.
- Last Action:** 1-25-13 H Filed
- [HB 715](#)      [Creighton, Brandon\(R\)](#)      Relating to the constitutional limit on the rate of growth of appropriations.
- Remarks:** MJV-Limits state growth of appropriations to the rate of the inflation and population growth (or loss).
- Last Action:** 1-25-13 H Filed
- [HB 716](#)      [Harper-Brown, Linda\(R\)](#)      Relating to the phaseout and repeal of the franchise tax.
- Remarks:** WLJ - Effective 2015 reduces the franchise tax from 1% of taxable margin to .8 for retail or wholesale trade. Effective 2016: Reduces the franchise tax to 0.6% for retail or wholesale trade. Effective 2017: Reduces the franchise tax to 0.4%

for retail or wholesale trade. Effective 2018:  
Eliminates the franchise tax.

**Last Action:** 1-25-13 H Filed

[HB 719](#)

[Morrison, Geanie\(R\)](#)

Relating to the operation of a golf cart or utility vehicle on a public highway in certain counties.

**Companions:** [SB 226](#) Hegar, Glenn(R) (Identical)  
1-29-13 S Introduced and referred  
to committee on Senate  
Transportation

**Remarks:** MJV-Expands a bracket to add Aransas County to the coastal counties where commissioners court may allow operation of a golf cart on public highways.

**Last Action:** 1-25-13 H Filed

[HB 720](#)

[Price, Four\(R\)](#)

Relating to enhancing the penalty for intoxication manslaughter and intoxication assault in certain circumstances.

**Remarks:** WLJ - Increases the offense of drunk driving if bodily harm or death to another is caused if; the person doesn't stop at the scene of the accident, call 911, and remain on the scene for first responders.

**Last Action:** 1-25-13 H Filed

[HB 722](#)

[King, Tracy\(D\)](#)

Relating to the authority of certain counties to impose a county hotel occupancy tax.

**Remarks:** WLJ - Allows Zavala County to impose a hotel tax in the unincorporated area.

**Last Action:** 1-25-13 H Filed

[HB 727](#)

[Burkett, Cindy\(R\)](#)

Relating to restrictive covenants regulating drought-resistant landscaping.

**Remarks:** WLJ - Prohibits a HOA from prohibiting drought resistant landscaping.

**Last Action:** 1-25-13 H Filed

[HB 728](#)

[Price, Four\(R\)](#)

Relating to eligibility to be a candidate for, or elected or appointed to, a public elective office in this state.

**Remarks:** WLJ - Prohibits a candidate for elected office in Texas from having been placed on deferred adjudication or community supervision for a felony.

**Last Action:** 1-25-13 H Filed

- [HB 730](#)      [Raymond, Richard\(D\)](#)      Relating to the training for and use of electromagnetic pulse devices by peace officers and reserve law enforcement officers.
- Remarks:** WLJ - Allows the Commission on Law Enforcement Officer Standards and Education to create rules and a training program for the use of an electromagnetic pulse device to disalbe motor vehicles.
- Last Action:** 1-25-13 H Filed
- [HB 731](#)      [Raymond, Richard\(D\)](#)      Relating to rest breaks for employees of certain contractors with a governmental entity.
- Companions:** [SB 341](#)      Rodriguez, Jose(D)      (Identical)  
2- 1-13 S Filed
- Remarks:** WLJ - Requires contractors in employ with government entities provide their employees 15 minute rest break for every 4 hours of work. Violations can be reported and contractors can be penalized \$100/day after recieving a warning.
- Last Action:** 1-25-13 H Filed
- [HB 732](#)      [Raymond, Richard\(D\)](#)      Relating to the exemption from ad valorem taxation for disabled veterans and the surviving spouses and minor children of disabled veterans and members of the armed forces who die on active duty.
- Remarks:** WLJ - Requires the ad valorum taxes for a disabled veteran or the surviving spouse be recalculated or reimbursed for the tax year if qualification falls into that tax year.
- Last Action:** 1-25-13 H Filed
- [HB 734](#)      [Murphy, Jim\(R\)](#)      Relating to enhancing the penalties for certain repeat and habitual misdemeanor offenders.
- Remarks:** WLJ - Increases the penalty on a Class A misdemeanor or felony if the defendant has more than one previous conviction. Second violation fine between \$2000 to \$4000, confinement of 180 days to 1 year, both fine and jail is required.
- Last Action:** 1-25-13 H Filed
- [HB 738](#)      [Crownover, Myra\(R\)](#)      Relating to the review of the creation of certain proposed municipal utility districts by county commissioners courts.
- Remarks:** WLJ - Requires county commissioners review proposed MUD which will be located within or outside of the ETJ of a city.
- Last Action:** 1-28-13 H Filed

- [HB 741](#)      [Walle, Amando\(D\)](#)      Relating to the right of a public employee to breast-feed, or to express breast milk for, the employee's child in the workplace.
- Remarks:** WLJ - Requires all public employers to have a written support policy for breast feeding employees. Requires the employer to provide break times and a room with a lock for the employee (not a restroom). To not provide these requirements will be considered employment discrimination.
- Last Action:** 1-28-13 H Filed
- [HB 745](#)      [Ashby, Trenton\(R\)](#)      Relating to county participation in a program for improvement of collection of court costs, fees, and fines imposed in criminal cases.
- Remarks:** WLJ - Excludes a Angelina County from the court collection improvement program. bracket
- Last Action:** 1-28-13 H Filed
- [HB 754](#)      [Ashby, Trenton\(R\)](#)      Relating to prohibiting the use of eminent domain to take private property for recreational purposes.
- Remarks:** MJV-Prohibits taking private property through eminent domain if it is for a recreational purpose. Defines recreational purpose as park, sidewalks (unless otherwise required for protecting public health and safety or providing public access), greenbelt or trail.
- Repeals authority for Parks and Wildlife to condemn land for parks.
- Last Action:** 1-28-13 H Filed
- [HB 756](#)      [Davis, Sarah\(R\)](#)      Relating to the establishment of a program to refund annually certain dedicated tax or fee revenues that remain unspent for the particular purposes or entities for which they were collected.
- Remarks:** MJV-Requires the comptroller at the start of the fiscal year to transfer any unspent and unobligated funds in dedicated revenue accounts to a fund outside GR. The funds may only be appropriated to re funding the persons who paid the taxes or fees as applicable.
- Last Action:** 1-28-13 H Filed
- [HB 758](#)      [Toth, Steve\(R\)](#)      Relating to certain legal advice or legal services rendered to public servants.
- Companions:** [SB 148](#)      Williams, Tommy(R) (Identical)  
1-29-13 S Introduced and referred to committee on Senate State Affairs

**Remarks:** WLJ - Excepts from the offense, free legal advice or services provided by a local bar association or the State Bar of Texas from being considered a gift to a public servant.

**Last Action:** 1-28-13 H Filed

[HB 759](#)

[Toth, Steve\(R\)](#)

Relating to the repeal of the prohibition on the sale of motor vehicles on consecutive Saturdays and Sundays.

**Remarks:** MJV-Repeals the prohibition on motor vehicle sales on consecutive Saturdays and Sundays.

**Last Action:** 1-28-13 H Filed

[HB 761](#)

[Marquez, Marisa\(D\)](#)

Relating to building code standards for new residential construction in the unincorporated area of a county.

**Companions:** [SB 170](#) West, Royce(D) (Identical)  
1-29-13 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** MJV-Stipulates that the county building codes provision does not apply to building a home on land appraised for agricultural use.

-Allows a county to require a certificate of compliance in order to connect utility services.

**Last Action:** 1-28-13 H Filed

[HB 762](#)

[Guillen, Ryan\(D\)](#)

Relating to restrictions on disaster remediation contracts following a locally declared disaster.

**Remarks:** WLJ - Amends the natural disaster definition for agriculture, mining, forestry and industrial businesses to include a declaration by a county or city.

**Last Action:** 1-28-13 H Filed

[HB 765](#)

[King, Phil\(R\)](#)

Relating to the disposition of certain misdemeanor offenses committed by a holder of a commercial driver's license.

**Remarks:** JBD - Currently a person is not eligible for a deferred adjudication or a driver safety course dismissal of a traffic ticket if the person holds a commercial DL or held a commercial DL at the time of the offense, whether or not the person was driving a commercial vehicle when he/she committed the offense. The bill would change that to say only offenses committed while operating a commercial vehicle are ineligible for deferred or driver safety course dismissal.

**Last Action:** 1-28-13 H Filed

[HB 766](#)      [King, Phil\(R\)](#)      Relating to the commitment of certain criminal defendants with a history of escape or flight to the maximum security unit of a mental health facility for competency restoration.

**Remarks:** WLJ - The court shall commit a defendant to maximum security if the defendant is charged with an offense where imprisonment is for 20 years or more and the defendant has a history of fleeing and will likely attempt to escape a mental health facility if not in maximum security.

**Last Action:** 1-28-13 H Filed

[HB 767](#)      [King, Phil\(R\)](#)      Relating to preventing the fraudulent issuance and use of disabled parking placards.

**Remarks:** WLJ - Increases a civil penalty from \$500 to \$750 for fraudulently using a disabled parking placard for the first offense, for the second offense it increases from \$550 to \$1250 and a third offense from \$800 to \$1100.

**Last Action:** 1-28-13 H Filed

[HB 768](#)      [Howard, Donna\(D\)](#)      Relating to the application of the public and private facilities and infrastructure contracting requirements to technology facilities.

**Remarks:** WLJ - Amends the definition of qualifying project, for purposes of public work contracts, to include technology facilities.

**Last Action:** 1-28-13 H Filed

[HB 770](#)      [Howard, Donna\(D\)](#)      Relating to electronic submission of an application to vote by mail.

**Remarks:** WLJ - Allows application for a ballot to be sent to the early voting clerk via a digital image.

**Last Action:** 1-28-13 H Filed

[HB 777](#)      [White, James\(R\)](#)      Relating to oversize or overweight vehicles transporting timber or timber products.

**Remarks:** WLJ - Adds weight limitations for logging trucks transporting product.

**Last Action:** 1-28-13 H Filed

[HB 780](#)      [Farias, Joe\(D\)](#)      Relating to a study by the Legislative Budget Board of the effect of ad valorem tax exemptions for certain veterans and their surviving spouses and children on local and state revenue and the state's economy.

**Remarks:** WLJ - Requires LBB to do a study on the effects of ad valorem tax exemptions in the amount of \$5000 if the veteran served in WWII, Korean War, Vietnam War, Persian Gulf war, or Afghanistan or Iraq war. Or was awarded an Expeditionary medal during service. LBB is to look at the effect on local and state revenue. Also they are to look at the effects of providing an exemption to surviving spouses and minor children.

**Last Action:** 1-29-13 H Filed

[HB 782](#)

[Phillips, Larry\(R\)](#)

Relating to the allocation of certain motor vehicle sales tax revenue to the state highway fund and to the uses of that revenue.

**Companions:** [SB 287](#) Nichols, Robert(R) (Identical)  
1-29-13 S Filed

**Remarks:** MJV-Starting in 2015, the comptroller will transfer 10% of the motor vehicle sales tax to the highway fund. The transfer is increased by 10% each year until all of it goes to the highway fund.

**Last Action:** 1-29-13 H Filed

[HB 783](#)

[Sanford, Scott\(R\)](#)

Relating to the constitutional limit on the rate of growth of appropriations and the use of surplus state revenues.

**Remarks:** MJV-Limits growth of state appropriations to the rate of growth (or loss) in population and inflation combined.

-If a surplus exists, the comptroller must rebate payers of the franchise tax as applicable.

**Last Action:** 1-29-13 H Filed

[HB 785](#)

[Davis, Sarah\(R\)](#)

Relating to ballot language for a proposition to approve the issuance or increase of debt.

**Remarks:** WLJ - Requires a county to include in a proposition seeking voter approval to include the total debt accrues by the issuer for the fiscal year and any additional debt to be authorized.

**Last Action:** 1-29-13 H Filed

[HB 787](#)

[Rodriguez, Eddie\(D\)](#)

Relating to incentives for the purchase or lease of an electric-powered light-duty motor vehicle.

**Remarks:** MJV-Adds low emission gasoline motor vehicles to the light-duty motor vehicle incentive program (part of TERP). Makes a light-duty motor vehicle that is powered in part by an electric motor eligible for a \$2,500 incentive. Limits the incentive to 2,000 vehicles for the next biennium (limit expires in 2015)

**Last Action:** 1-29-13 H Filed

[HB 788](#)      [Smith, Wayne\(R\)](#)      Relating to regulation of greenhouse gas emissions by the Texas Commission on Environmental Quality.

**Remarks:** WLJ - Allows the Texas Natural Resource Conservation Commission to oversee regulation of greenhouse gases including issuing permits and regulations.

**Last Action:** 1-29-13 H Filed

[HB 790](#)      [Turner, Sylvester\(D\)](#)      Relating to the repeal of the driver responsibility program.

**Companions:** [HB 104](#)      [Gonzales, Larry\(R\)](#)      (Identical)  
11-12-12 H Filed

**Remarks:** MJV-Repeals the Driver Responsibility Program. Retains the trauma funding account but makes it subject to gifts, donations, and appropriations.

**Last Action:** 1-29-13 H Filed

[HB 791](#)      [Kleinschmidt, Tim\(R\)](#)      Relating to the creation and operation of a park and recreation district in a county with frontage on the San Marcos River and to the authority of the district to collect fees.

**Companions:** [SB 280](#)      Zaffirini, Judith(D)      (Identical)  
1-28-13 S Filed

**Remarks:** MJV-Allows a county that has river frontage on the San Marcos river and a population of 35,000 to 100,000 to hold an election by order of commissioners court to create a park and recreation district.

**Last Action:** 1-29-13 H Filed

[HB 793](#)      [Lozano, Jose\(R\)](#)      Relating to the creation of the offense of unlawful transport of an undocumented person.

**Remarks:** WLJ - Creates a state felony for concealing and transporting an undocumented person. Creates a second degree felony for transporting an undocumented for financial gain or in a way where bodily harm will occur to the person. A defense is if the person is a relative.

**Last Action:** 1-29-13 H Filed

[HB 801](#)      [Munoz, Sergio\(D\)](#)      Relating to the discharge of a firearm across the property line of a school.

**Remarks:** WLJ - Creates a class A misdemeanor if a bullet travels across a property line of a school.

**Last Action:** 1-29-13 H Filed

[HB 802](#)

[Rose, Toni\(D\)](#)

Relating to the definition of an authorized emergency vehicle.

**Companions:** [SB 159](#) Carona, John(R) (Identical)  
1-29-13 S Introduced and referred to committee on Senate Intergovernmental Relations

**Remarks:** WLJ - Adds county owned or county leased vehicles to the definition of an authorized emergency vehicle. Dallas

**Last Action:** 1-29-13 H Filed

[HB 805](#)

[Orr, Rob\(R\)](#)

Relating to eligibility to serve on the appraisal review board of an appraisal district.

**Remarks:** WLJ - Amends the requirement of who can serve on an appraisal review board. Restricts a member of the governing body or officer of the unit from serving until 2 years have passed since they ceased to be a member or 250,000, and four years for counties of more than 250,000.

**Last Action:** 1-29-13 H Filed

[HB 807](#)

[Zerwas, John\(R\)](#)

Relating to the practice of psychology by persons employed by a governmental agency.

**Remarks:** WLJ - Narrows the group required to follow the Psychologists Licensing Act for government employees if they do not represent themselves as a psychologist.

**Last Action:** 1-29-13 H Filed

[HB 816](#)

[Davis, Sarah\(R\)](#)

Relating to giving notice of certain information about an election electronically.

**Remarks:** WLJ - Allows election notice published in a newspaper to reference a website that lists the location of each polling place, in place of listing it in the newspaper notice.

**Last Action:** 1-30-13 H Filed

[HB 822](#)

[Gutierrez, Roland\(D\)](#)

Relating to the Edwards Aquifer Authority's power to regulate the transportation of groundwater out of certain counties.

**Remarks:** MJV-Local Bill allowing the Edwards Aquifer Authority to allow permitted persons to transport groundwater out of Uvalde County.

**Last Action:** 1-30-13 H Filed

- [HB 823](#)      [Anchia, Rafael\(D\)](#)      Relating to the duties of a magistrate to inform an arrested person of consequences of a plea of guilty or nolo contendere.
- Remarks:** WLJ - Requires a magistrate to inform a non-citizen that entering a plea of guilty or nolo contendere can affect a persons immigration or residency status that could result in deportation.
- Last Action:** 1-30-13 H Filed
- [HB 826](#)      [Harless, Patricia\(R\)](#)      Relating to the definitions of certain terms for purposes of the ad valorem taxation of certain dealer's heavy equipment inventory.
- Remarks:** MJV-Changes the definitions of "business location", "dealer", and "Dealer's heavy equipment inventory" in the section of tax law involving appraisals of such equipment.
- Last Action:** 1-30-13 H Filed
- [HB 827](#)      [King, Ken\(R\)](#)      Relating to an agreement between the Department of Public Safety and a county clerk for the provision of renewal and duplicate driver's license and other identification certificate services in certain counties.
- Remarks:** WLJ - Allows the DMV and a county clerk, in a county of 50,000 or less, to enter into an agreement for the clerk to provide drivers license renewals and duplicates, election identification certificates and personal identification certificates. The clerk can collect and retain a \$1 fee for drivers license and personal identification services.
- Last Action:** 1-30-13 H Filed
- [HB 828](#)      [Callegari, Bill\(R\)](#)      Relating to the emissions inspection and safety certification of vehicles retrofitted to operate on compressed natural gas.
- Remarks:** MJV-Prohibits operating a vehicle retrofitted to operate on compressed natural gas unless the engine is tested and inspected by a certified inspector.
- Last Action:** 1-30-13 H Filed
- [HB 832](#)      [Giddings, Helen\(D\)](#)      Relating to the abatement of mosquitoes in stagnant water located on certain uninhabited residential property.
- Companions:** [SB 186](#)      Carona, John(R)      (Identical)  
1-29-13 S Introduced and referred to committee on Senate Health and Human Services
- Remarks:** WLJ - Allows a county, city or other local health authority to treat stagnant water for mosquito larva on land that is presumed to be abandoned or

uninhabited, if believed there is an immediate danger to the health, life or safety.

**Last Action:** 1-30-13 H Filed

[HB 833](#)

[Giddings, Helen\(D\)](#)

Relating to certain procedures regarding an application for a writ of habeas corpus filed in a noncapital felony case.

**Companions:** [SB 252](#) West, Royce(D) (Identical)  
1-29-13 S Introduced and referred to committee on Senate Criminal Justice

**Remarks:** WLJ - Requires the court reporter to immediately transmit the findings report transcript to the clerk of the convicting court in a noncapital felony case, if the convicting court believes there is evidence the defendant should not be held in confinement.

**Last Action:** 1-30-13 H Filed

[HB 835](#)

[Eiland, Craig\(D\)](#)

Relating to the application of the limit on appraised value of a residence homestead for ad valorem tax purposes to an improvement that is a replacement structure for a structure that was rendered uninhabitable.

**Remarks:** WLJ - Excepts from appraisal, improvements on a replacement structure that was damaged due to wind or water damage, even if the square footage is increased or the exterior materials are of higher quality, if the upgrades are necessary to comply with building or fire codes, local ordinance, or to satisfy the terms of a government assistance funding program.

**Last Action:** 1-30-13 H Filed

[HB 836](#)

[Eiland, Craig\(D\)](#)

Relating to permits for oversize and overweight vehicles in a certain county.

**Companions:** [SB 274](#) Williams, Tommy(R) (Identical)  
1-28-13 S Filed

**Remarks:** WLJ - Amends the area where Chambers County can issue overweight permits for vehicles on state highways inside Chambers County.

**Last Action:** 1-30-13 H Filed

[HB 843](#)

[Lucio III, Eddie\(D\)](#)

Relating to persons entitled to notice of and to participation in a permanency hearing regarding a child in the conservatorship of the state.

**Remarks:** WLJ - Requires a notice of a permanency hearing regarding child being placed in the states care, to be provided to the child if the child is 10 years or older and the court decides it is appropriate.

**Last Action:** 1-30-13 H Filed

[HB 848](#)      [Lucio III, Eddie\(D\)](#)      Relating to the impoundment of a motor vehicle involved in an accident if operated without financial responsibility.

**Remarks:** WLJ - Requires an officer impound a vehicle involved in an accident to be impounded if proof of insurance is not provided.

**Last Action:** 1-30-13 H Filed

[HB 849](#)      [Lucio III, Eddie\(D\)](#)      Relating to the effect of certain interlocutory appeals on the commencement of a trial in a suit brought under the Family Code.

**Remarks:** WLJ - Removes an interlocutory appeal in a suit brought under family code as a basis to stop the commencement of a trial, pending resolution of the appeal.

**Last Action:** 1-30-13 H Filed

[HB 862](#)      [King, Susan\(R\)](#)      Relating to the transfer of the limitation on school district, county, municipal, or junior college district ad valorem taxes on the residence homestead of a person who is elderly or disabled to a subsequent homestead of that person.

**Remarks:** MJV-Creates an exception to the tax freeze provision for disabled and over 65 residence homestead owners that allows them to proportionately transfer their freeze to another home.

-The limitation does not apply in the first tax year if the former home had no property taxes imposed due to the freeze and the new home's taxable value exceeds the average value of homesteads in the county.

**Last Action:** 1-30-13 H Filed

[HB 867](#)      [Flynn, Dan\(R\)](#)      Relating to the appointment of certain representatives to certain regional water planning groups.

**Remarks:** WLJ-Requires commissioners court in each county located in Regional Water Planning Area D, to appoint one representative of the county to the regional water planning group.

**Last Action:** 1-31-13 H Filed

[HB 869](#)      [Ashby, Trenton\(R\)](#)      Relating to the issuance of a marriage license for an absent applicant and the maintenance of records by a county clerk relating to a marriage license issued for an absent applicant.

**Remarks:** WLJ - allows a marriage license be issued for a member of the military if they are stationed in another country, and unable to appear before the county clerk and unable to attend the marriage ceremony.

**Last Action:** 1-31-13 H Filed

[HB 875](#)

[King, Phil\(R\)](#)

Relating to the eligibility of the surviving spouse of a person who is disabled to receive a limitation of school district ad valorem taxes on the person's residence homestead.

**Remarks:** MJV-Expands the school tax limitation on the residence homestead of a person who is over 65 to allow the exemption to apply to the surviving spouse of a disabled homeowner if they are over 55 and remain in the home.

**Last Action:** 1-31-13 H Filed

[HB 881](#)

[Turner, Chris\(D\)](#)

Relating to the creation of a cause of action for an employee prohibited from or penalized for voting.

**Remarks:** MJV-Allows an employee to sue an employer for retaliation for refusing to allow a person to be absent from work for voting purposes. Suit must be brought within 1 year. The employee may recover compensatory damages, attorney's fees, and additional relief as appropriate. They may recover punitive damages if the violation was committed with malice or reckless indifference. Sovereign immunity is waived for this type of suit against a governmental entity.

**Last Action:** 1-31-13 H Filed

[HB 884](#)

[Murphy, Jim\(R\)](#)

Relating to the disposition of abandoned or unclaimed property seized at the time of certain arrests.

**Remarks:** MJV-If property (other than money) is seized by a peace officer at the time of arrest for an offense punishable as a class C misdemeanor the peace officer may provide notice to the owner at the time of release informing them they have 31 days to claim the property or it will be disposed of and any proceeds will go to the treasury of the city or county.

**Last Action:** 1-31-13 H Filed

[HB 889](#)

[Fallon, Pat\(R\)](#)

Relating to the requirement that certain governmental bodies broadcast meetings on the Internet.

**Remarks:** MJV-Requires the governing body of a county, school district, or city with a population of 50,000 or more to broadcast their meetings and archive

their meetings on the internet. A governmental body may use a you-tube like site to post their meetings instead of establishing their own site.

**Last Action:** 1-31-13 H Filed

[HJR 65](#)      [Creighton, Brandon\(R\)](#)      Proposing a constitutional amendment regarding the limitation on the rate of growth of appropriations.

**Remarks:** MJV-Constitutional Amendment-limits growth in appropriations to the rate of growth or loss in population and inflation.

**Last Action:** 1-25-13 H Filed

[HJR 68](#)      [Phillips, Larry\(R\)](#)      Proposing a constitutional amendment dedicating certain revenue derived from the tax imposed on the sale of motor vehicles to the state highway fund.

**Companions:** [SJR 20](#)      Nichols, Robert(R)      (Identical)  
1-29-13 S Filed

**Remarks:** MJV-Constitutional Amendment- Requires the motor vehicle sales tax to be deposited to the state highway fund starting in September of 2024.

**Last Action:** 1-29-13 H Filed

[HJR 69](#)      [Sanford, Scott\(R\)](#)      Proposing a constitutional amendment concerning the limitation on the rate of growth of state appropriations and the use of unencumbered surplus state revenues to provide for a rebate of state franchise taxes and to reduce public school district

**Remarks:** MJV-Constitutional Amendment- limits growth in appropriations to the rate of the sum of the estimate of growth in population and inflation. Each biennium the comptroller must determine if there is a surplus, if so half of it must be refunded to the franchise tax payers as applicable. The other half must be used to reduce school district property taxes.

**Last Action:** 1-29-13 H Filed

[HJR 70](#)      [King, Phil\(R\)](#)      Proposing a constitutional amendment concerning the maximum rate of growth of appropriations.

**Remarks:** MJV-Limits the growth of state appropriations to the lesser of: growth in the state economy and a rate equal to the sum of the rate of growth in population and the rate of inflation.

**Last Action:** 1-30-13 H Filed

[HJR 72](#)      [King, Phil\(R\)](#)      Proposing a constitutional amendment to allow the surviving spouse of a person who is disabled to

receive a limitation on school district ad valorem taxes on the person's residence homestead.

**Remarks:** MJV-Allows a residence homestead exemption and freeze to apply to the surviving spouse of a person who is disabled provided they are 55 at the time of the person's death.

**Last Action:** 1-31-13 H Filed

[SB 246](#)



[West, Royce\(D\)](#)

Relating to the electronic submission of a request for an attorney general opinion.

**Remarks:** WLJ - Allows an attorney general request for opinion to be submitted via email.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Jurisprudence

[SB 247](#)



[Carona, John\(R\)](#)

Relating to the transfer of an ad valorem tax lien.

**Remarks:** MJV-Prohibits a property tax lender from selling their rights on a property tax loan to a person who is not licensed. Removes authority for a property tax lender to use an expedited foreclosure procedure. Makes a conforming appeal.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Business and Commerce

[SB 248](#)



[Davis, Wendy\(D\)](#)

Relating to unlawful employment practices regarding discrimination in payment of compensation.

**Remarks:** MJV-Prohibits discrimination in pay, benefits, or other compensation. A person may recover up to two years of pay.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Economic Development

[SB 250](#)



[West, Royce\(D\)](#)

Relating to the requirements of using certain technology to conduct certain mental health hearings or proceedings.

**Remarks:** WLJ - For a MHMR hearing conducted via teleconference, requires the patient and attorney to be in the same location.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Jurisprudence

[SB 251](#)



[West, Royce\(D\)](#)

Relating to an unsworn declaration made by an employee of a state agency or political subdivision in the performance of the employee's job duties.

**Remarks:** MJV-Prescribes the wording of an unsworn declaration made by an employee of a political subdivision in the performance of their job duties.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Jurisprudence

[SB 252](#)



[West, Royce\(D\)](#)

Relating to certain procedures regarding an application for a writ of habeas corpus filed in a noncapital felony case.

**Companions:** [HB 833](#) Giddings, Helen(D) (Identical)  
1-30-13 H Filed

**Remarks:** WLJ - Requires the court reporter to immediately transmit the findings report transcript to the clerk of the convicting court in a noncapital felony case, if the convicting court believes there is evidence the defendant should not be held in confinement.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Criminal Justice

[SB 254](#)



[Deuell, Bob\(R\)](#)

Relating to the satisfaction of a condition of community supervision requiring performance of community service.

**Remarks:** WLJ - Allows a defendant to make a donation to a tax exempt organization in lieu of working hours at a community service project.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Criminal Justice

[SB 262](#)



[Huffman, Joan\(R\)](#)

Relating to the reporting of criminal disposition completeness percentage data.

**Remarks:** MJV-Requires counties to achieve a 90% completeness percentage for both adult and juvenile dispositions in order to be in compliance with the data reporting improvement plan.

-Counties in compliance become subject to the requirements to form an improvement plan if they drop below 90%.

-Requires counties to certify that they are at 90% before they may be awarded a federal or state criminal justice grant (currently efforts taken to comply are sufficient).

-Repeals the expiration date for criminal disposition completeness percentage data program.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Criminal Justice

[SB 265](#)



[Huffman, Joan\(R\)](#)

Relating to bond requirements for county officers and employees.

**Companions:** [HB 385](#) Thompson, Senfronia(D) (Identical)

1- 8-13 H Filed

**Remarks:** MJV-Allows a commissioners court to authorize the county to self-insure against losses covered by a bond for a county officer or employee.

**Last Action:** 1-29-13 S Introduced and referred to committee on Senate Intergovernmental Relations

[SB 269](#)[Seliger, Kel\(R\)](#)

Relating to an exemption for land owned by a school from the additional tax imposed on the change of use of land appraised for ad valorem tax purposes as qualified open-space land.

**Companions:** [HB 561](#) Workman, Paul(R) (Identical)  
1-16-13 H Filed

**Last Action:** 1-28-13 S Filed

[SB 270](#)[Seliger, Kel\(R\)](#)

Relating to a limited exception to the prohibition on releasing personal information about a juror collected during the jury selection process in certain cases.

**Remarks:** WLJ - Allows defense counsel to provide information on jurors to a successor counsel representing the same defendant without application to the court.

**Last Action:** 1-28-13 S Filed

[SB 271](#)[Seliger, Kel\(R\)](#)

Relating to a defense to prosecution for the offense of failing to secure a child in a child passenger safety seat system.

**Remarks:** WLJ - Repeals the defense of an offense of not securing a child in a car seat. Previously proving you had a carseat for securing the child would be a defense to the offense.

**Last Action:** 1-28-13 S Filed

[SB 274](#)[Williams, Tommy\(R\)](#)

Relating to permits for oversize and overweight vehicles in a certain county.

**Companions:** [HB 836](#) Eiland, Craig(D) (Identical)  
1-30-13 H Filed

**Remarks:** WLJ - Amends the area where Chambers County can issue overweight permits for vehicles on state highways inside Chambers County.

**Last Action:** 1-28-13 S Filed

[SB 276](#)[Watson, Kirk\(D\)](#)

Relating to the authority of certain transportation authorities to create a local government corporation.

**Remarks:** WLJ - Adds to the definition of corporation for the

purpose of creating a Texas Transportation Corporation, a hospital district, rapid transit authority, and coordinated county transportation authority.

**Last Action:** 1-28-13 S Filed

[SB 280](#)

[Zaffirini, Judith\(D\)](#)

Relating to the creation and operation of a park and recreation district in a county with frontage on the San Marcos River and to the authority of the district to collect fees.

**Companions:** [HB 791](#) Kleinschmidt, Tim(R) (Identical)  
1-29-13 H Filed

**Remarks:** MJV-Allows a county that has river frontage on the San Marcos river and a population of 35,000 to 100,000 to hold an election by order of commissioners court to create a park and recreation district.

**Last Action:** 1-28-13 S Filed

[SB 287](#)

[Nichols, Robert\(R\)](#)

Relating to the allocation of certain motor vehicle sales tax revenue to the state highway fund and to the uses of that revenue.

**Companions:** [HB 782](#) Phillips, Larry(R) (Identical)  
1-29-13 H Filed

**Remarks:** MJV-Starting in 2015, the comptroller will transfer 10% of the motor vehicle sales tax to the highway fund. The transfer is increased by 10% each year until all of it goes to the highway fund.

**Last Action:** 1-29-13 S Filed

[SB 290](#)

[Nelson, Jane\(R\)](#)

Relating to the creation of an additional judicial district composed of Denton County.

**Remarks:** WLJ - Creates the 442nd Judicial District composed of Denton County.

**Last Action:** 1-29-13 S Filed

[SB 293](#)

[Williams, Tommy\(R\)](#)

Relating to the authority of certain water districts to hold meetings by teleconference or videoconference.

**Remarks:** WLJ - Allows a water district which encompasses land in three or more counties to hold meetings via teleconference. It must be recorded and have two way audio and video communications for each participant.

**Last Action:** 1-29-13 S Filed

[SB 294](#)

[Van de Putte, Leticia\(D\)](#)

Relating to extending a local behavioral health intervention pilot project.

**Companions:** [HB 39](#) Menendez, Jose(D) (Identical)  
11-12-12 H Filed

**Remarks:** MJV-Extends the Bexar County local behavioral health intervention pilot project for ten years (2023).

**Last Action:** 1-29-13 S Filed

[SB 298](#)

[Estes, Craig\(R\)](#)

Relating to the licensing and regulation of the towing of a vehicle by its owner.

**Remarks:** WLJ - Requires an owner towing their own vehicle to get a license to do so.

**Last Action:** 1-29-13 S Filed

[SB 299](#)

[Estes, Craig\(R\)](#)

Relating to the unintentional display of a weapon by a person licensed to carry a concealed handgun.

**Remarks:** WLJ - Removes failure to conceal a handgun as a violation, instead makes it a violation to display in a manner to cause alarm, unless in an instance where justified force or threat is occurring.

**Last Action:** 1-29-13 S Filed

[SB 300](#)

[Uresti, Carlos\(D\)](#)

Relating to funding for certain county transportation infrastructure projects.

**Remarks:** WLJ - Creates a county infrastructure fund using revenue from oil production taxes if the years collection of taxes is greater than those collected in 1987. 25% of the difference of those two amounts will be transferred to a dedicated fund to be issued to counties in the form of grants for transportation infrastructure projects. The funds will be held in a dedicated account. The grant to each county must be in proportion to the oil and gas taxes collected in that county for that year.

**Last Action:** 1-30-13 S Filed

[SB 309](#)

[Paxton, Ken\(R\)](#)

Relating to the state highway fund.

**Remarks:** WLJ - adds taxes collected for new and used tires and motor vehicle parts to the State Highway Fund.

**Last Action:** 1-31-13 S Filed

[SB 315](#)

[Uresti, Carlos\(D\)](#)

Relating to electronic voter registration.

**Remarks:** WLJ - Requires the SOS to implement a program to register to vote online.

**Last Action:** 1-31-13 S Filed

[SJR 20](#)

[Nichols, Robert\(R\)](#)

Proposing a constitutional amendment dedicating certain revenue derived from the tax imposed on the sale of motor vehicles to the state highway fund.

**Companions:** [HJR 68](#) Phillips, Larry(R) (Identical)  
1-29-13 H Filed

**Remarks:** MJV-Constitutional Amendment- Requires the motor vehicle sales tax to be deposited to the state highway fund starting in September of 2024.

**Last Action:** 1-29-13 S Filed

[SJR 23](#)

[Estes, Craig\(R\)](#)

Proposing a constitutional amendment to prohibit using revenues, other money, or account or fund balances dedicated by law for nondedicated general governmental purposes.

**Remarks:** WLJ - Constitutional prohibition to use dedicated accounts to certify the state budget.

**Last Action:** 1-29-13 S Filed

[SJR 24](#)

[Watson, Kirk\(D\)](#)

Proposing a constitutional amendment prohibiting the diversion of and concerning the use of statutorily dedicated revenues.

**Remarks:** WLJ - Removes dedicated funds from being used to certify the budget.

**Last Action:** 1-31-13 S Filed

	All	Track
<b>Total Bills:</b>	109	0

- End of Report -