

## MINUTES

### SENATE COMMITTEE ON JURISPRUDENCE

Tuesday, April 26, 2011  
1:30 PM or upon adjournment  
Betty King Committee Room

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Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Jurisprudence was held on Tuesday, April 26, 2011, in the Betty King Committee Room at Austin, Texas.

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#### **MEMBERS PRESENT:**

Senator Chris Harris, Chair  
Senator Jose Rodriguez, Vice Chair  
Senator John Carona  
Senator Robert Duncan  
Senator Mario Gallegos, Jr.

#### **MEMBERS ABSENT:**

Senator Joan Huffman  
Senator Carlos Uresti

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The chair called the meeting to order at 3:00 PM. There being a quorum present at 3:50, the following business was transacted:

The chair laid out HB 994 in lieu of SB 1894 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Duncan moved that HB 994 be left pending; without objection, it was so ordered.

The chair laid out SB 1892 and recognized the author, Senator Zaffirini, to explain the bill.

Senator Harris sent up a committee substitute; the chair recognized Senator Zaffirini to explain the difference between the committee substitute and the senate bill as filed.

Witnesses registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Duncan moved that SB 1892 be left pending; without objection, it was so ordered.

The chair laid out SB 1893 and recognized the author, Senator Zaffirini, to explain the bill.

Senator Rodriguez sent up a committee substitute; the chair recognized Senator Zaffirini to explain the difference between the committee substitute and the senate bill as filed.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Duncan moved that SB 1893 be left pending; without objection, it was so ordered.

The chair laid out SB 1196 and recognized the author, Senator Rodriguez, to explain the bill.

Senator Rodriguez sent up a committee substitute; the chair recognized Senator Rodriguez to explain the difference between the committee substitute and the senate bill as filed.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Upon arrival of a quorum, Senator Harris moved adoption of the committee substitute; without objection, it was so ordered. Senator Harris moved that SB 1196 do not pass but that CSSB 1196 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Carona submitted a motion in writing requesting unanimous consent to be shown voting Aye on CSSB 1196.

The chair laid out SB 297 and recognized the author, Senator Wentworth, to explain the bill.

Senator Harris sent up a committee substitute; the chair recognized Senator Wentworth to explain the difference between the committee substitute and the senate bill as filed.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Harris moved that SB 297 be left pending; without objection, it was so ordered.

The chair laid out SB 1197 and recognized the author, Senator Rodriguez, to explain the bill.

Senator Rodriguez sent up a committee substitute; the chair recognized Senator Rodriguez to explain the difference between the committee substitute and the senate bill as filed.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Upon arrival of a quorum, Senator Rodriguez moved adoption of the committee substitute; without objection, it was so ordered. Senator Rodriguez moved that SB 1197 do not pass but that CSSB 1197 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Carona submitted a motion in writing requesting unanimous consent to be shown voting Aye on CSSB 1197.

The chair laid out SB 1198 and recognized the author, Senator Rodriguez, to explain the bill.

Senator Rodriguez sent up a committee substitute; the chair recognized Senator Rodriguez to explain the difference between the committee substitute and the senate bill as filed.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Upon arrival of a quorum, Senator Rodriguez moved adoption of the committee substitute; without objection, it was so ordered. Senator Rodriguez moved that SB 1198 do not pass but that CSSB 1198 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Carona submitted a motion in writing requesting unanimous consent to be shown voting Aye on CSSB 1198.

The chair laid out HB 906 and recognized the Senate sponsor, Senator Rodriguez, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Upon arrival of a quorum, Senator Harris moved that HB 906 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Carona submitted a motion in writing requesting unanimous consent to be shown voting Aye on HB 906.

The chair laid out SB 1751 and recognized Senator Rodriguez, in the absence of the author, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Upon arrival of a quorum, Senator Harris moved that SB 1751 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Carona submitted a motion in writing requesting unanimous consent to be shown voting Aye on SB 1751.

Senator Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 3:50 PM Senator Rodriguez assumed the chair.

The chair laid out HB 905 and recognized the Senate sponsor, Senator Harris, to explain the bill.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Harris moved that HB 905 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 984 and recognized the Senate sponsor, Senator Harris, to explain the bill.

Senator Harris sent up a committee substitute; the chair recognized Senator Harris to explain the difference between the committee substitute and the senate bill as filed. Senator Harris moved adoption of the committee substitute; without objection, it was so ordered.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Harris moved that HB 984 do not pass but that CSHB 984 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1674 and recognized the Senate sponsor, Senator Harris, to explain the bill.

Senator Harris sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted.

Senator Harris requested unanimous consent to incorporate the amendment into a committee substitute; without objection, it was so ordered. Senator Harris then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Harris moved that HB 1674 do not pass but that CSHB 1674 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Carona submitted a motion in writing requesting unanimous consent to be shown voting Aye on CSHB 1674.

Senator Harris moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 4:15 PM Senator Harris assumed the chair.

There being no further business, at 4:17 PM Senator Harris moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Chris Harris, Chair

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Katie Qualls, Clerk