

## MINUTES

### SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, April 26, 2011  
1:30 PM or upon adjournment  
Capitol Extension, Room E1.016

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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 Criminal Justice was held on Tuesday, April 26, 2011, in the Capitol Extension, Room E1.016, at Austin, Texas.

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**MEMBERS PRESENT:**

Senator John Whitmire, Chair  
Senator Joan Huffman, Vice Chair  
Senator John Carona  
Senator Rodney Ellis  
Senator Juan Hinojosa  
Senator Dan Patrick

**MEMBERS ABSENT:**

Senator Glenn Hegar

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Senator Joan Huffman, the acting chair called the meeting to order at 3:00 PM. There being a quorum present, the following business was transacted:

The chair laid out SB 1636 and recognized the author, Senator Davis, to explain the bill.

Senator Huffman sent up a committee substitute; the chair recognized Senator Davis to explain the difference between the committee substitute and the senate bill as filed. Senator Huffman moved that the committee substitute for SB 1636 be left pending to await a quorum; 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.

At 3:25 PM Senator Whitmire assumed the chair.

Senator Whitmire moved that SB 1636 be left pending; without objection, it was so ordered.

The chair laid out SB 533 and recognized the author, Senator Davis, 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 Whitmire moved that SB 533 be left pending; without objection, it was so ordered.

The chair laid out SB 972 and recognized the author, Senator Hinojosa, 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 Whitmire moved that SB 972 be left pending; without objection, it was so ordered.

The chair laid out SB 1529 and recognized the author, Senator Hinojosa, to explain the bill.

Senator Whitmire moved that SB 1529 be left pending; without objection, it was so ordered.

The chair laid out SB 1658 and recognized the author, Senator Hinojosa, 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 Whitmire moved that SB 1658 be left pending; without objection, it was so ordered.

The chair laid out SB 146 and recognized Senator Hinojosa to explain the bill. Senator Hinojosa sent up a committee substitute for SB 146; the chair recognized Senator Hinojosa to explain the difference between the committee substitute and the senate bill as filed. Senator Hinojosa moved adoption of the committee substitute; without objection, it was so ordered.

The chair laid out SB 931 and recognized Senator Huffman, in the absence of the author, to explain the bill. Senator Huffman sent up a committee substitute; the chair recognized Senator Huffman to explain the difference between the committee substitute and the senate bill as filed. Senator Huffman moved adoption of the committee substitute; without objection, it was so ordered.

Upon arrival of a quorum, Senator Hinojosa moved that SB 533 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

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

Senator Hinojosa moved that SB 972 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, 1 nay, 0 present not voting, and 1 absent.

Senator Hinojosa moved that SB 1529 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

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

Senator Hinojosa moved that SB 1636 do not pass but that CSSB 1636 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, 1 nay, 0 present not voting, and 1 absent.

Senator Hinojosa moved that SB 146 do not pass but that CSSB 146 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

Senator Huffman moved that SB 931 do not pass but that CSSB 931 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0 nays, 0 present not voting, and 1 absent.

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

There being no further business, Senator Whitmire moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator John Whitmire, Chair

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Michaela Bernacchio, Clerk