

**MINUTES**

**SENATE COMMITTEE ON BUSINESS & COMMERCE**

Tuesday, March 26, 2013

8:00 AM

Capitol Extension, Room E1.016

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Pursuant to public notice in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Business & Commerce was held on Tuesday, March 26, 2013, in the Capitol Extension, Room E1.016, at Austin, Texas.

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**MEMBERS PRESENT:**

Senator John Carona, Chair  
Senator Larry Taylor, Vice Chair  
Senator Kevin Eltife  
Senator Craig Estes  
Senator Kelly Hancock  
Senator Eddie Lucio, Jr.  
Senator Leticia Van de Putte  
Senator Kirk Watson  
Senator John Whitmire

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 8:00 AM. There being a quorum present, the following business was transacted:

The chair laid out SB 1286 and recognized the author, Senator Williams, to explain the bill.

Senator Taylor sent up a committee substitute to SB 1286; the chair recognized Senator Williams to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; 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 Carona moved that SB 1286 be left pending; without objection, it was so ordered.

The chair laid out SB 1074 and recognized the author, Senator Hegar, to explain the bill.

Senator Taylor sent up a committee substitute to SB 1074; the chair recognized Senator Hegar to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; without objection, it was so ordered.

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

Senator Carona moved that SB 1074 be left pending; without objection, it was so ordered.

The chair laid out SB 1089 and recognized the author, Senator Hinojosa, to explain the bill.

The chair laid out SB 1700 and recognized the author, Senator Taylor, to explain the bill.

Senator Eltife sent up a committee substitute to SB 1700; the chair recognized Senator Taylor to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 1702 and recognized the author, Senator Taylor, to explain the bill.

Senator Eltife sent up a committee substitute to SB 1702; the chair recognized Senator Taylor to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 1701 and recognized the author, Senator Taylor, to explain the bill.

Public testimony was opened on all four bills. Witnesses testifying and registering on SB 1089, SB 1700, SB 1701, and SB 1702 are shown on the attached list.

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

Senator Carona moved that SB 1089, SB 1700, SB 1701, and SB 1702 be left pending; without objection, it was so ordered.

The chair laid out SB 981 and recognized the author, Senator Van de Putte, to explain the bill.

Senator Van de Putte sent up a committee substitute to SB 981; the chair recognized Senator Van de Putte to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; 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 Carona moved that SB 981 be left pending; without objection, it was so ordered.

The chair laid out SB 602 and recognized the author, Senator Davis, to explain the bill.

Senator Lucio, Jr. sent up a committee substitute to SB 602; the chair recognized Senator Davis to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; without objection, it was so ordered.

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

At 9:54 AM Senator Watson assumed the chair.

At 10:00 AM Senator Carona resumed the chair.

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

Senator Carona moved that SB 602 be left pending; without objection, it was so ordered.

The chair laid out SB 491 and recognized the author, Senator Lucio, to explain the bill.

Senator Lucio, Jr. sent up a committee substitute to SB 491; the chair recognized Senator Lucio, Jr. to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved committee substitute be left pending; 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 Carona moved that SB 491 be left pending; without objection, it was so ordered.

The chair laid out SB 992 and recognized the author, Senator Taylor, 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 Carona moved that SB 992 be left pending; without objection, it was so ordered.

The chair laid out SB 1296 and recognized the author, Senator Taylor, 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 Carona moved that SB 1296 be left pending; without objection, it was so ordered.

At 10:43 AM Senator Taylor assumed the chair.

The chair laid out SB 1035 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1035; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Taylor moved committee substitute be left pending; without objection, it was so ordered.

Senator Carona sent up Committee Amendment 1 to the proposed substitute to SB 1035. Senator Taylor moved Committee Amendment 1 be left pending; without objection, it was so ordered.

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

Senator Taylor moved that SB 1035 be left pending; without objection, it was so ordered.

The chair laid out SB 1388 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1388; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Taylor moved committee substitute be left pending; without objection, it was so ordered.

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

Senator Taylor moved that SB 1388 be left pending; without objection, it was so ordered.

The chair laid out SB 1248 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1248; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Taylor moved committee substitute be left pending; 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 Taylor moved that SB 1248 be left pending; without objection, it was so ordered.

At 10:52 AM Senator Carona resumed the chair.

At 10:53 AM Senator Carona moved that the Committee stand recessed, and ordered that it reconvene in room E1.036 15 minutes upon adjournment of the Senate. Without objection, it was so ordered.

The posting rule, Senate Rule 11.10 and 11.18, was suspended, and at 12:43 PM Senator Carona reconvened the meeting in room E1.036.

The chair laid out SB 1577 and recognized the author, Senator Fraser, to explain the bill.

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

Senator Carona moved that SB 1577 be left pending; without objection, it was so ordered.

At 12:45 PM Senator Watson assumed the chair.

The chair laid out SB 973 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 973; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Watson moved committee substitute be left pending; without objection, it was so ordered.

Senator Carona sent up Committee Amendment 1 to the proposed substitute to SB 973. Senator Watson moved Committee Amendment 1 be left pending; 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 Watson moved that SB 973 be left pending; without objection, it was so ordered.

The chair laid out SB 823 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 823; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Watson moved committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 824 and recognized the author, Senator Carona, to explain the bill.

The chair laid out SB 1251 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1251; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Watson moved committee substitute be left pending; without objection, it was so ordered.

Public testimony was opened on these three bills. Witnesses testifying and registering on SB 823, SB 824, and SB 1251 are shown on the attached list.

The chair moved that the public testimony on SB 823, SB 824, and SB 1251 be closed; without objection, it was so ordered.

Senator Watson moved that SB 823, SB 824, and SB 1251 be left pending; without objection, it was so ordered.

The chair laid out SB 583 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 583; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Watson moved committee substitute be left pending; 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 Watson moved that SB 583 be left pending; without objection, it was so ordered.

The chair laid out SB 1139 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1139; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Watson moved committee substitute be left pending; 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 Watson moved that SB 1139 be left pending; without objection, it was so ordered.

At 2:08 PM Senator Hancock assumed the chair.

The chair laid out SB 734 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 734; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Hancock moved committee substitute be left pending; 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 Hancock moved that SB 734 be left pending; without objection, it was so ordered.

The chair laid out SB 951 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 951; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Hancock moved committee substitute be left pending; 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 Hancock moved that SB 951 be left pending; without objection, it was so ordered.

The chair laid out SB 1008 and recognized the author, Senator Carona, to explain the bill.

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

Senator Hancock moved that SB 1008 be left pending; without objection, it was so ordered.

The chair laid out SB 1033 and recognized the author, Senator Carona, to explain the bill.

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

Senator Hancock moved that SB 1033 be left pending; without objection, it was so ordered.

The chair laid out SB 1125 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 1125; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Hancock moved committee substitute be left pending; 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 Hancock moved that SB 1125 be left pending; without objection, it was so ordered.

At 2:49 PM Senator Carona resumed the chair.

At 2:49 PM Senator Carona moved that the Committee stand at ease until 3:15 to vote on bills. Without objection, it was so ordered.

At 3:15 PM Senator Carona reconvened the meeting.

Senator Taylor moved adoption of the committee substitute for SB 1286; without objection, it was so ordered.

Senator Watson moved that SB 1286 do not pass but that CSSB 1286 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Taylor moved adoption of the committee substitute to SB 1074; without objection, it was so ordered.

Senator Estes moved that SB 1074 do not pass but that CSSB 1074 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Van de Putte moved adoption of the committee substitute to SB 981; without objection, it was so ordered.

Senator Lucio, Jr. moved that SB 981 do not pass but that CSSB 981 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Taylor moved adoption of the committee substitute to SB 1702; without objection, it was so ordered.

Senator Taylor moved that SB 1702 do not pass but that CSSB 1702 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

At 3:18 PM Senator Taylor assumed the chair.

Senator Carona moved adoption of the committee substitute to SB 1035; without objection, it was so ordered. Senator Carona moved adoption of Committee Amendment 1 to the proposed committee substitute to SB 1035; without objection, it was so ordered.

Senator Carona requested unanimous consent to incorporate Amendment 1 to the proposed committee substitute to SB 1035 into a new committee substitute; without objection, it was so ordered. Senator Carona then moved that the new committee substitute be adopted; without objection, it was so ordered.

Senator Carona moved that SB 1035 do not pass but that CSSB 1035 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Carona moved adoption of the committee substitute to SB 1388; without objection, it was so ordered.

Senator Carona moved that SB 1388 do not pass but that CSSB 1388 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Carona moved adoption of the committee substitute to SB 1248; without objection, it was so ordered.

Senator Carona moved that SB 1248 do not pass but that CSSB 1248 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Carona moved adoption of the committee substitute to SB 973; without objection, it was so ordered. Senator Carona moved adoption of Committee Amendment 1 to the proposed committee substitute to SB 973; without objection, it was so ordered.

Senator Carona requested unanimous consent to incorporate Amendment 1 to the proposed committee substitute to SB 973 into a new committee substitute; without objection, it was so ordered. Senator Carona then moved that the new committee substitute be adopted; without objection, it was so ordered.

Senator Carona moved that SB 973 do not pass but that CSSB 973 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Carona moved adoption of the committee substitute to SB 951; without objection, it was so ordered.

Senator Carona moved that SB 951 do not pass but that CSSB 951 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Carona moved that SB 1008 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Carona moved that SB 1033 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Carona moved adoption of the committee substitute to SB 1125; without objection, it was so ordered.

Senator Carona moved that SB 1125 do not pass but that CSSB 1125 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

Senator Carona moved adoption of the committee substitute to SB 1251; without objection, it was so ordered.

Senator Carona moved that SB 1251 do not pass but that CSSB 1251 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

The chair laid out as a matter of pending business SB 407 and recognized the author, Senator Carona, to explain the bill.

Senator Carona moved that SB 407 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

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

The chair laid out as a matter of pending business SB 617 and recognized the author, Senator Carona, to explain the bill.

Senator Carona sent up a committee substitute to SB 617; the chair recognized Senator Carona to explain the difference between the committee substitute and the Senate bill as filed. Senator Carona moved adoption of the committee substitute; without objection, it was so ordered.

Senator Carona moved that SB 617 do not pass but that CSSB 617 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 0 present not voting, and 0 absent.

There being no further business, at 3:29 PM Senator Carona 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 Carona, Chair

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Troupe Brewer, Clerk