

MINUTES

SENATE COMMITTEE ON JURISPRUDENCE

Tuesday, May 7, 2013

1:30 PM or upon adjournment

Betty King Committee Room

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, May 7, 2013, in the Betty King Committee Room at Austin, Texas.

MEMBERS PRESENT:

Senator Royce West, Chair

Senator José Rodríguez, Vice Chair

Senator Donna Campbell

Senator Sylvia Garcia

Senator Kelly Hancock

Senator Ken Paxton

MEMBERS ABSENT:

Senator John Carona

The Chair called the meeting to order at 1:49 PM. The following business was transacted:

The Chair laid out SB 647 and recognized the author, Senator Rodríguez, to explain the bill.

At 1:51 PM a quorum was established.

Senator Rodríguez moved adoption of the minutes from the previous hearing held on April 30, 2013. Without objection, it was so ordered.

Senator Rodríguez sent up a committee substitute; the Chair recognized Senator Rodríguez to explain the difference between the committee substitute and the senate bill as filed. Senator Rodríguez 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 Rodríguez moved that SB 647 be left pending. Without objection, it was so ordered.

The Chair laid out SB 911 and recognized the author, Senator Rodríguez, to explain the bill.

Senator Rodríguez sent up a committee substitute; the Chair recognized Senator Rodríguez to explain the difference between the committee substitute and the senate bill as filed. Senator Rodríguez 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 Rodríguez moved that SB 911 be left pending. Without objection, it was so ordered.

The Chair laid out HB 389 and recognized the Senate sponsor, Senator Rodríguez, 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 Rodríguez moved that HB 389 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 Rodríguez moved that the bill be recommended for placement on the Local & Uncontested Calendar. Without objection, it was so ordered.

The Chair laid out HB 1334 and recognized the Senate sponsor, Senator Rodríguez, 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 Rodríguez moved that HB 1334 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 Rodríguez moved that the bill be recommended for placement on the Local & Uncontested Calendar. Without objection, it was so ordered.

The Chair laid out HB 1043 and recognized Senator Paxton, in the absence of the Senate sponsor, 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 Paxton moved that HB 1043 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 Paxton moved that the bill be recommended for placement on the Local & Uncontested Calendar. Without objection, it was so ordered.

At 2:46 PM Senator Rodríguez assumed the Chair.

The Chair laid out HB 845 and recognized the Senate sponsor, Senator West, 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 West moved that HB 845 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 West moved that the bill be recommended for placement on the Local & Uncontested Calendar. Without objection, it was so ordered.

The Chair laid out HB 2302 and recognized the Senate sponsor, Senator West, to explain the bill.

Senator West sent up a committee substitute; the Chair recognized Senator West to explain the difference between the committee substitute and the house bill as engrossed. Senator West 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 West moved that HB 2302 do not pass but that CSHB 2302 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 West moved that the bill be recommended for placement on the Local & Uncontested Calendar. Without objection, it was so ordered.

At 2:55 PM Senator West resumed the Chair.

The Chair laid out as a matter of pending business HB 410, in lieu of SB 896 and Senator Rodriguez moved HB 410 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 Rodríguez 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 HB 616 and recognized the Senate sponsor, Senator Rodríguez, who moved that HB 616 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 Rodríguez moved that the bill be recommended for placement on the Local & Uncontested Calendar. Without objection, it was so ordered.

At 2:57 PM Senator Rodríguez assumed the Chair.

The Chair laid out as a matter of pending business HB 1222 and recognized the Senate sponsor, Senator West, who moved that HB 1222 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 West 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 1218 and recognized the author, Senator Campbell, to explain the bill.

Senator Campbell moved that SB 1218 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 1 nay, 0 present not voting, and 2 absent.

Senator Hancock requested unanimous consent to be shown voting aye on the following bills: HB 410, HB 616 and HB 1222. Without objection, it was so ordered.

There being no further business, at 3:02 PM Senator West moved that the Committee stand recessed subject to the call of the Chair. Without objection, it was so ordered.

At 3:03 PM Senator West reconvened the meeting.

Senator Garcia moved that the vote by which SB 1218 was passed, be re-considered. Without objection, it was so ordered.

The Chair laid out as a matter of pending business SB 1218 and recognized the author, Senator Campbell, who sent up a committee substitute. The Chair recognized Senator Campbell to explain the difference between the committee substitute and the senate bill as filed. Senator Campbell moved adoption of the committee substitute. Without objection, it was so ordered.

Senator Campbell moved that SB 1218 do not pass but that CSSB 1218 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 1 nay, 0 present not voting, and 2 absent.

There being no further business, at 3:05 PM Senator Campbell moved that the Committee stand recessed subject to the call of the Chair. Without objection, it was so ordered.

Senate Committee on Jurisprudence

Minutes

Tuesday, May 7, 2013

Page 6

Senator Royce West, Chair

Tiffany White, Clerk