

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Thursday, April 20, 2017

8:00 AM

Capitol Extension, Room E1.016

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Business & Commerce was held on Thursday, April 20, 2017, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator Kelly Hancock, Chair
Senator Brandon Creighton, Vice Chair
Senator Donna Campbell
Senator Craig Estes
Senator Robert Nichols
Senator Charles Schwertner
Senator Larry Taylor
Senator John Whitmire
Senator Judith Zaffirini

MEMBERS ABSENT:

None

The chair called the meeting to order at 8:03 AM. The following business was transacted:

Senator Hancock moved that testimony would be limited to 3 minutes; without objection, it was so ordered.

The chair laid out SB 255 and recognized the author, Senator Zaffirini, to explain the bill. Senator Zaffirini 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 Hancock moved committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 1263 and recognized the author, Senator Hughes, to explain the bill. Senator Nichols sent up a committee substitute. The chair recognized Senator Hughes to explain the difference between the committee substitute and the senate bill as filed.

The roll was called at 8:07 AM. A quorum was present.

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 committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 1440 and recognized Senator Creighton, 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. Senator Hancock moved that SB 1440 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 83 and recognized the author, Senator Hall, to explain the bill. Senator Creighton moved to withdraw the committee substitute sent up at a previous hearing. Without objection, it was so ordered. Senator Creighton sent up a committee substitute. The chair recognized Senator Hall 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.

The chair laid out SB 371 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved that SB 371 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 Creighton 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 666 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 666 do not pass but that CSSB 666 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 Creighton 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 1449 and recognized the author, Senator Larry Taylor. Senator Taylor sent up a committee substitute. Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered. Senator Taylor moved that SB 1449 do not pass but that CSSB 1449 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.

The chair laid out as a matter of pending business SB 1450 and recognized the author, Senator Larry Taylor. Senator Taylor moved that SB 1450 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 Taylor 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 1405 and recognized the author, Senator Creighton. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 1405 do not pass but that CSSB 1405 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, 0 nays, 0 present not voting, and 1 absent. Senator Creighton 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 1510 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 1510 do not pass but that CSSB 1510 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 Creighton 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 1466 and recognized the author, Senator Larry Taylor. Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered. Senator Taylor moved that SB 1466 do not pass but that CSSB 1466 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.

The chair laid out as a matter of pending business SB 1512 and recognized the author, Senator Larry Taylor. Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered. Senator Taylor moved that SB 1512 do not pass but that CSSB 1512 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.

The chair laid out as a matter of pending business SB 1630 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 1630 do not pass but that CSSB 1630 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 Creighton 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 1639 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 1639 do not pass but that CSSB 1639 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 Creighton 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 1642 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 1642 do not pass but that CSSB 1642 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 Creighton 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 1729 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 1729 do not pass but that

CSSB 1729 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 Creighton 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 1733 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved that SB 1733 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 1932 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved that SB 1932 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 Creighton 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 1952 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved that SB 1952 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 Creighton 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 2127 and recognized the author, Senator Larry Taylor. Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered. Senator Taylor moved that SB 2127 do not pass but that CSSB 2127 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 2240 and recognized the author, Senator Larry Taylor. Senator Taylor moved to withdraw the committee substitute sent up at a previous hearing. Without objection, it was so ordered. Senator Taylor sent up a committee substitute. The chair recognized Senator Taylor to explain the difference between the committee substitute and the senate bill as filed. Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered. Senator Taylor moved that SB 2240 do not pass but that CSSB 2240 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 Creighton assumed the chair.

The chair laid out as a matter of pending business SB 10 and recognized the author, Senator Hancock. Senator Hancock moved to withdraw the committee substitute sent up at a previous hearing. Without objection, it was so ordered. Senator Hancock sent up a committee substitute. The chair recognized Senator Hancock to explain the difference between the committee substitute and the senate bill as filed. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SB 10 do not pass but that CSSB 10 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 1070 and recognized the author, Senator Hancock. Senator Hancock sent up a committee substitute. The chair recognized Senator Hancock to explain the difference between the committee substitute and the senate bill as filed. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SB 1070 do not pass but that CSSB 1070 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.

The chair laid out as a matter of pending business SB 1071 and recognized the author, Senator Hancock. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SB 1071 do not pass but that CSSB 1071 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 Hancock moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Hancock resumed the chair.

The chair laid out SB 1572 and recognized the author, Senator Watson, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Watson 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 Hancock moved committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 921 and recognized the author, Senator Perry, 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 Hancock moved that SB 921 be left pending; without objection, it was so ordered.

The chair laid out SB 1779 and recognized the author, Senator Creighton, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Creighton 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 Hancock moved committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 938 and recognized the author, Senator Van Taylor, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Van Taylor 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 Hancock moved committee substitute be left pending; without objection, it was so ordered.

Senator Creighton assumed the chair.

The chair laid out SB 2279 and recognized the author, Senator Hancock, 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 Creighton moved that SB 2279 be left pending; without objection, it was so ordered.

Senator Hancock resumed the chair.

Senator Creighton moved to reconsider the vote by which SB 1405 was favorably voted out of committee. There being no objection, it was so ordered. Senator Creighton moved that SB 1405 be left pending, to await the arrival of the House companion bill. Without objection, it was so ordered.

Senator Creighton assumed the chair.

The chair laid out as a matter of pending business SB 2279 and recognized the author, Senator Hancock. Senator Hancock moved that SB 2279 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Hancock resumed the chair.

A Motion in Writing requesting unanimous consent to be shown voting aye were submitted by the following: Senator Whitmire on SB 371, CSSB 666, CSSB 1449, SB 1450, CSSB 1510, CSSB 1466, CSSB 1512, CSSB 1630, CSSB 1639, CSSB 1642, CSSB 1729, SB 1932, SB 1952, CSSB 2127, CSSB 2240, and SB 2279. These votes are reflected in the final votes on the aforementioned bills.

A Motion in Writing requesting unanimous consent to be shown voting nay were submitted by the following: Senator Whitmire on SB 1733 and CSSB 10. These votes are reflected in the final votes on the aforementioned bills.

There being no further business, at 10:12 AM Senator Hancock moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Kelly Hancock, Chair

Tatum Reagan, Clerk

Senate Committee on Business & Commerce

Minutes

Thursday, April 20, 2017

Page 9