

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Thursday, May 11, 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, May 11, 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 8:00 AM. There being a quorum present, the following business was transacted:

Senator Campbell moved that testimony would be limited to 2 minutes; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 2097 and recognized Senator Campbell, in the absence of the author. Senator Campbell moved that HB 2097 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 Campbell 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 2098 and recognized Senator Campbell, in the absence of the author. Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell moved that HB 2098 do not pass but that CSHB 2098 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, 0 nays, 0 present not voting, and 2 absent. Senator Campbell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1646 and recognized the author, Senator Watson, to explain the bill. Senator Campbell 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 HB 2413 and recognized the author, Senator Lucio, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Lucio to explain the difference between the committee substitute and the house 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 HB 2783 and recognized the Senate sponsor, Senator Watson, 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 HB 2783 be left pending; without objection, it was so ordered.

The chair laid out HB 1989 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 Hancock moved that HB 1989 be left pending; without objection, it was so ordered.

The chair laid out HB 1990 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. 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 that HB 1990 be left pending; without objection, it was so ordered.

The chair laid out HB 2095 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 Hancock moved that HB 2095 be left pending; without objection, it was so ordered.

The chair laid out HB 3803 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 Hancock moved that HB 3803 be left pending; without objection, it was so ordered.

The chair laid out HB 2019 and recognized the Senate sponsor, Senator Estes, to explain the bill. 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 that HB 2019 be left pending; without objection, it was so ordered.

The chair laid out HB 919 and recognized the Senate sponsor, Senator Schwertner, to explain the bill. 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 that HB 919 be left pending; without objection, it was so ordered.

The chair laid out HB 1571 and recognized the Senate sponsor, Senator Hughes, to explain the bill. 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 that HB 1571 be left pending; without objection, it was so ordered.

The chair laid out HB 2647 and recognized the Senate sponsor, Senator Larry Taylor, to explain the bill. 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 that HB 2647 be left pending; without objection, it was so ordered.

The chair laid out HB 2928 and recognized the Senate sponsor, Senator Larry 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 Hancock moved that HB 2928 be left pending; without objection, it was so ordered.

The chair laid out HB 2040 and recognized the Senate sponsor, Senator Nichols, 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 HB 2040 be left pending; without objection, it was so ordered.

The chair laid out HB 3276 and recognized the Senate sponsor, Senator Larry Taylor, to explain the bill. 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 that HB 3276 be left pending; without objection, it was so ordered.

The chair laid out HB 3275 and recognized the Senate sponsor, Senator Campbell, to explain the bill. 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 that HB 3275 be left pending; without objection, it was so ordered.

Senator Campbell assumed the chair.

The chair laid out HB 1774 and recognized the Senate sponsor, 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 Campbell moved that HB 1774 be left pending; without objection, it was so ordered.

The chair laid out HB 25 and recognized the Senate sponsor, 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 Hancock moved that HB 25 be left pending; without objection, it was so ordered.

Senator Hancock resumed the chair.

The chair laid out HB 4042 and recognized the Senate sponsor, Senator Whitmire, to explain the bill. Senator Campbell sent up a committee substitute. The chair recognized Senator Whitmire to explain the difference between the committee substitute and the house bill as engrossed. 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.

Senator Whitmire assumed the chair.

The chair laid out HB 2615 and recognized the Senate sponsor, Senator Hancock, to explain the bill. 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 Whitmire moved that HB 2615 be left pending; without objection, it was so ordered.

The chair laid out HB 3257 and recognized the Senate sponsor, Senator Hancock, to explain the bill. 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 Whitmire moved that HB 3257 be left pending; without objection, it was so ordered.

Senator Hancock resumed the chair.

The chair laid out HB 1187 and recognized Senator Campbell, 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 Hancock moved that HB 1187 be left pending; without objection, it was so ordered.

The chair laid out HB 1859 and recognized the Senate sponsor, Senator Van Taylor, to explain the bill. Senator Campbell sent up a committee substitute. The chair recognized Senator Van Taylor to explain the difference between the committee substitute and the house bill as engrossed. 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 that HB 1859 be left pending; without objection, it was so ordered.

The chair laid out HB 1449 and recognized Senator Campbell, in the absence of the Senate sponsor, to explain the bill. Senator Campbell sent up a committee substitute. The chair recognized Senator Campbell to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 1449 be left pending; without objection, it was so ordered.

The chair laid out HB 2501 and recognized Senator Campbell, in the absence of the Senate sponsor, to explain the bill. 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 that HB 2501 be left pending; without objection, it was so ordered.

The chair laid out HB 3018 and recognized Senator Campbell, 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 Hancock moved that HB 3018 be left pending; without objection, it was so ordered.

The chair laid out HB 3049 and recognized Senator Campbell, 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 Hancock moved that HB 3049 be left pending; without objection, it was so ordered.

At 9:50 AM Senator Hancock moved that the Committee stand recessed until 10:30 AM. Without objection, it was so ordered.

At 10:30 AM the Committee came back to order.

The chair laid out as a matter of pending business HB 919 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 919 be reported favorably 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 Campbell 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 1187 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 1187 be reported favorably 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 HB 1449 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that HB 1449 do not pass but that CSHB 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 6 ayes, 1 nay, 0 present not voting, and 2 absent.

The chair laid out as a matter of pending business HB 1571 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 1571 be reported favorably 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 HB 1859 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that HB 1859 do not pass but that CSHB 1859 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 nay, 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 HB 2019 and recognized the Senate sponsor, Senator Estes. Senator Estes moved that HB 2019 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 Estes 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 2040 and recognized the Senate sponsor, Senator Nichols. Senator Nichols moved that HB 2040 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 Nichols 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 2095 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 2095 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 HB 2413 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that HB 2413 do not pass but that CSHB 2413 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 nay, 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 HB 2501 and recognized the Senate sponsor, Senator Creighton. Senator Creighton moved that HB 2501 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 HB 2647 and recognized the Senate sponsor, Senator Larry Taylor. Senator Taylor moved that HB 2647 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 HB 2873 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 2873 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 1646 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 1646 do not pass but that CSSB 1646 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 HB 2928 and recognized the Senate sponsor, Senator Larry Taylor. Senator Taylor moved that HB 2928 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 HB 3018 and recognized the Senate sponsor, Senator Creighton. Senator Creighton moved that HB 3018 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 HB 3049 and recognized the Senate sponsor, Senator Creighton. Senator Creighton moved that HB 3049 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 HB 3275 and recognized the Senate sponsor, Senator Campbell. Senator Campbell moved that HB 3275 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 Campbell 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 3276 and recognized the Senate sponsor, Senator Larry Taylor. Senator Taylor moved that HB 3276 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 HB 3803 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 3803 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 HB 4042 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 4042 do not

pass but that CSSB 4042 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 nays, 0 present not voting, and 0 absent.

Senator Creighton assumed the chair.

The chair laid out as a matter of pending business HB 25 and recognized the Senate sponsor, Senator Hancock. Senator Hancock moved that HB 25 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.

The chair laid out as a matter of pending business HB 1774 and recognized the Senate sponsor, Senator Hancock. Senator Hancock moved that HB 1774 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.

The chair laid out as a matter of pending business HB 2615 and recognized the Senate sponsor, Senator Hancock. Senator Hancock moved that HB 2615 be reported favorably 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.

The chair laid out as a matter of pending business HB 3257 and recognized the Senate sponsor, Senator Hancock. Senator Hancock moved that HB 3257 be reported favorably 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.

A Motion in Writing requesting unanimous consent to be shown voting aye was submitted by the following: Senator Schwertner on HB 25, HB 2097, HB 2098, HB 919, HB 1187, CSHB 1449, HB 1571, CSHB 1859, HB 2019, HB 2040, HB 2095, CSHB 2413, HB 2615, HB, 1774, HB 2501, HB 2647, HB 2783, CSSB 1646, HB 2928, HB 3018, HB 3049, HB 3257, HB 3275, HB 3276, HB 3803, CSHB 4042; Senator Whitmire on HB 919, HB 1187, HB 1571, CSHB 1859, HB 2019, HB 2040, HB 2095, CSHB 2413, HB 2501, HB 2647, HB 2783, CSSB 1646, HB 2928, HB 3018, HB 3049, HB 3275, HB 3276, HB 3803, HB 3803, CSHB 4042, HB 2615, and HB 3257; Senator Zaffirini on HB 919, HB 1187, HB 1571, CSHB 1859, HB 2019, HB 2040, HB 2095, CSHB 2413, HB 2501, HB 2647, HB 2783, CSSB 1646, HB 2928, HB 3018, HB 3049, HB 3275, HB 3276, HB 3803, CSHB 4042, CSHB 2615, and HB 3257. These votes are reflected in the final votes on the aforementioned bills.

A Motion in Writing requesting unanimous consent to be shown voting nay was submitted by the following: Senator Whitmire on CSHB 1449. This vote is reflected in the final votes on the aforementioned bill.

The posting rule, Senate Rule 11.10 and 11.18, was suspended to hear the following bills:

HB 1990

HB 2928

HB 3275

HB 3276

HB 4042

There being no further business, at 10:50 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