

## **The House Committee on Criminal Jurisprudence**

82nd Legislature

April 5, 2011

10:30 a.m. or upon final adjourn./recess

JHR 120

### **CORRECTED MINUTES**

On April 14, 2011, the House Committee on Criminal Jurisprudence authorized the correction of the minutes for the meeting of the House Committee on Criminal Jurisprudence held on April 5, 2011. The following are the corrected minutes for that meeting:

Pursuant to a notice posted on March 31, 2011, and a suspension of the 5-day posting rule on April 5, 2011, to allow the committee to consider HB 227 and HB 1309 the House Committee on Criminal Jurisprudence met in a public hearing and was called to order by the chair, Representative Gallego, at 12:29 p.m.

The initial quorum call was answered as follows: Representatives Gallego; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; and Zedler.

A quorum was present.

## **House Committee on Criminal Jurisprudence**

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### **HB 1309**

The chair laid out HB 1309.

The chair offered a complete committee substitute.

The chair recognized Representative Craddick to explain HB 1309.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Craddick to close on HB 1309.

The committee substitute was withdrawn without objection.

HB 1309 was left pending without objection.

### **HB 3**

The chair laid out HB 3.

The chair recognized Representative Thompson to explain HB 3.

The chair offered a complete committee substitute.

The chair recognized Representative Thompson to close on HB 3.

The committee substitute was withdrawn without objection.

HB 3 was left pending without objection.

### **HB 3001**

The chair laid out HB 3001.

The chair recognized Representative Thompson to explain HB 3001.

Testimony taken/registration recorded. (See attached witness list.)

(Representative Aliseda now present.)

The chair recognized Representative Thompson to close on HB 3001.

HB 3001 was left pending without objection.

### **HB 927**

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The chair laid out HB 927.

The chair recognized Representative Harper-Brown to explain HB 927.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Harper-Brown to close on HB 927.

HB 927 was left pending without objection.

### **HB 2019**

The chair laid out HB 2019.

The chair recognized Representative McClendon to explain HB 2019.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative McClendon to close on HB 2019.

HB 2019 was left pending without objection.

### **HB 385**

The chair laid out HB 385.

The chair recognized Representative Menendez to explain HB 385.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Menendez to close on HB 385.

HB 385 was left pending without objection.

### **HB 36**

The chair laid out HB 36.

The chair lays out a complete committee substitute

The chair recognized Representative Menendez to explain HB 36

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Menendez to close on HB 36.

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The committee substitute was withdrawn without objection.

HB 36 was left pending without objection.

(Representative Christian in chair.)

### **HB 1070**

The chair laid out HB 1070.

The chair recognized Representative Scott to explain HB 1070.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Scott to close on HB 1070.

HB 1070 was left pending without objection.

### **HB 1721**

The chair laid out HB 1721.

The chair recognized Representative Lucio III to explain HB 1721.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Lucio III to close on HB 1721.

HB 1722 was left pending without objection.

### **HB 1722**

The chair laid out HB 1722.

The chair recognized Representative Lucio III to explain HB 1722.

Testimony taken/registration recorded (See attached witness list.)

The chair recognized Representative Lucio III to close on HB 1722.

HB 1722 was left pending without objection.

### **HB 940**

The chair laid out HB 940.

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The chair recognized Representative Dukes to explain HB 940.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Dukes to close on HB 940.

HB 940 was left pending without objection.

### **HB 2472**

The chair laid out HB 2472.

The chair recognized Representative Marquez to explain HB 2472.

The chair recognized Representative Marquez to close on HB 2472.

HB 2472 was left pending without objection.

### **HB 3176**

The chair laid out HB 3176.

The chair recognized Representative King, Susan to explain HB 3176.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative King, Susan to close on HB 3176.

HB 3176 was left pending without objection.

### **HB 825**

The chair laid out HB 825.

The chair offered a complete committee substitute.

The chair recognized Representative Anchia to explain HB 825.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Anchia to close on HB 825.

The committee substitute was withdrawn without objection.

HB 825 was left pending without objection.

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### **HB 3177**

The chair laid out HB 3177.

The chair recognized Representative King, Susan to explain HB 3177.

Testimony taken/registration recorded. (See attached witness list.)

(Representative Gallego in chair.)

The chair recognized Representative King, Susan to close on HB 3177.

HB 3177 was left pending without objection.

### **HB 1874**

The chair laid out HB 1874.

The chair recognized Representative Zedler to explain HB 1874.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Zedler to close on HB 1874.

HB 1874 was left pending without objection.

### **HB 2966**

The chair laid out HB 2966.

The chair recognized Representative Naishtat to explain HB 2966.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Naishtat to close on HB 2966.

HB 2966 was left pending without objection.

### **HB 772**

The chair laid out HB 772.

The chair recognized Representative Burkett to explain HB 772.

Testimony taken/registration recorded. (See attached witness list.)

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The chair recognized Representative Burkett to close on HB 772.

HB 772 was left pending without objection.

### **HB 2196**

The chair laid out HB 2196.

The chair recognized Representative Rodriguez, Eddie to explain HB 2196.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Rodriguez, Eddie to close on HB 2196.

HB 2196 was left pending without objection.

### **HB 649**

The chair laid out HB 649.

The chair recognized Representative Gallego to explain HB 649.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Gallego to close on HB 649.

HB 649 was left pending without objection.

### **HB 1994**

The chair laid out HB 1994.

The chair recognized Representative Weber to explain HB 1994.

The chair offered a complete committee substitute.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Weber to close on HB 1994.

The committee substitute was withdrawn without objection.

HB 1994 was left pending without objection.

### **HB 3396**

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The chair laid out HB 3396.

The chair recognized Representative Hernandez Luna to explain HB 3396.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Hernandez Luna to close on HB 3396.

HB 3396 was left pending without objection.

### **HB 3077**

The chair laid out HB 3077.

The chair explained HB 3077.

Testimony taken/registration recorded. (See attached witness list.)

The chair closed on HB 3077.

HB 3077 was left pending without objection.

### **HB 227**

The chair laid out HB 227.

The chair offered a complete committee substitute.

The chair recognized Representative Smith, Todd to explain HB 227.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Smith, Todd to close on HB 227.

The committee substitute was withdrawn without objection.

HB 227 was left pending without objection.

### **HB 47**

The chair laid out HB 47.

The chair offered a complete committee substitute.

The chair recognized Representative Pena to explain HB 47.

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Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Pena to close on HB 47.

The committee substitute was withdrawn without objection.

HB 47 was left pending without objection.

### **HB 1909**

The chair laid out HB 1909.

The chair recognized Representative Coleman to explain HB 1909.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Coleman to close on HB 1909.

HB 1909 was left pending without objection.

### **HB 2227**

The chair laid out HB 2227.

The chair recognized Representative Coleman to explain HB 2227.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Coleman to close on HB 2227.

HB 2227 was left pending without objection.

### **HB 3746**

The chair laid out HB 3746.

The chair recognized Representative Frullo to explain HB 3746.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Frullo to close on HB 3746.

HB 3746 was left pending without objection.

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### **HB 1345**

The chair laid out HB 1345.

The chair recognized Representative Veasey to explain HB 1345.

The chair recognized Representative Veasey to close on HB 1345.

HB 1345 was left pending without objection.

### **HB 604 and HB 2156**

The chair laid out HB 604 and HB 2156.

The chair recognized Representative Coleman to explain HB 2156 and HB 604.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Coleman to close on HB 2156 and HB 604.

HB 604 and HB 2156 were left pending without objection.

### **HB 3692**

The chair laid out HB 3692.

The chair explained HB 3692.

Testimony taken/registration recorded. (See attached witness list.)

The chair closed on HB 3692.

HB 3692 was left pending without objection.

### **HB 3695**

The chair laid out HB 3695.

The chair explained HB 3695.

The chair offered a complete committee substitute.

Testimony taken/registration recorded. (See attached witness list.)

The committee substitute was withdrawn without objection.

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The chair closed on HB 3695.

HB 3695 was left pending without objection.

### **HB 1049**

The chair laid out HB 1049.

The chair explained HB 1049.

Testimony taken/registration recorded. (See attached witness list.)

The chair closed on HB 1049.

HB 1049 was left pending without objection.

### **HB 1707**

The chair laid out HB 1707.

The chair offered a complete committee substitute.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Gutierrez to close on HB 1707.

The committee substitute was withdrawn without objection.

HB 1707 was left pending without objection.

### **HB 3526**

The chair laid out HB 3526.

The chair recognized Representative Davis, Yvonne to explain HB 3526.

The chair recognized Representative Davis, Yvonne to close on HB 3526.

HB 3526 was left pending without objection.

### **HJR 98**

The chair laid out HJR 98 as pending business.

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Representative Carter moved that HJR 98, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 470**

The chair laid out HB 470 as pending business.

Representative Zedler moved that HB 470, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 777**

The chair laid out HB 777 as pending business.

Representative Christian offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Burkett moved that HB 777, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Christian; Rodriguez, Eddie; Zedler (6).

Nays: Representatives Carter; Davis, Yvonne (2).

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Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 1029**

The chair laid out HB 1029 as pending business.

Representative Christian offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Aliseda moved that HB 1029, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 1103**

The chair laid out HB 1103 as pending business.

Representative Rodriguez, Eddie moved that HB 1103, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie (7).

Nays: Representative Zedler (1).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 1113**

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The chair laid out HB 1113 as pending business.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Christian moved that HB 1113, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 1658**

The chair laid out HB 1658 as pending business.

Representative Christian moved that HB 1658, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 1748**

The chair laid out HB 1748 as pending business.

Representative Burkett moved that HB 1748, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

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Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 2118**

The chair laid out HB 2118 as pending business.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Davis, Yvonne moved that HB 2118, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 2662**

The chair laid out HB 2662 as pending business.

Representative Rodriguez, Eddie moved that HB 2662, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

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Absent: Representative Hartnett (1).

### **HB 2822**

The chair laid out HB 2822 as pending business.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Davis, Yvonne moved that HB 2822, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 2856**

The chair laid out HB 2856 as pending business.

Representative Christian moved that HB 2856, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Carter; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

### **HB 3346**

The chair laid out HB 3346 as pending business.

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Representative Rodriguez, Eddie moved that HB 3346, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Gallego; Aliseda; Burkett; Christian; Davis, Yvonne; Rodriguez, Eddie; Zedler (7).

Nays: Representative Carter (1).

Present, Not Voting: None (0).

Absent: Representative Hartnett (1).

At 8:19 p.m., on the motion of the chair and without objection, the meeting was adjourned subject to the call of the chair.

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Rep. Gallego, Chair

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Michael Pacheco, Clerk