

## MINUTES

### SENATE COMMITTEE ON CRIMINAL JUSTICE

Wednesday, May 11, 2011  
1:30 PM or upon adjournment  
Senator Whitmire's Desk

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Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Criminal Justice was held on Wednesday, May 11, 2011, at Senator Whitmire's Desk.

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**MEMBERS PRESENT:**

Senator John Whitmire, Chair  
Senator Joan Huffman, Vice Chair  
Senator John Carona  
Senator Rodney Ellis  
Senator Glenn Hegar  
Senator Juan Hinojosa  
Senator Dan Patrick

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 11:05 AM. There being a quorum present, the following business was transacted:

The chair laid out as a matter of pending business HB 215 by Representative Gallego.

Senator Hinojosa moved that HB 215 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 0 absent.

Senator Patrick 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 649 by Representative Gallego.

Senator Hinojosa moved that HB 649 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 0 absent.

Senator Patrick 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 976 by representative Carter.

Senator Hinojosa moved that HB 976 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 0 absent.

Senator Patrick 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 by Representative Phillips.

Senator Hinojosa moved that HB 1028 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 0 absent.

Senator Hinojosa 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 1106 by representative Johnson.

Senator Hinojosa moved that HB 1106 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 0 absent.

Senator Hegar 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 1215 by Representative McClendon.

Senator Hinojosa moved that HB 1215 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 0 absent.

Senator Hinojosa 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 1381 by Representative Madden.

Senator Hinojosa moved that HB 1381 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 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 HB 1529 by Representative Miller.

Senator Hinojosa moved that HB 1529 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 0 absent.

Senator Patrick 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 1666 by Representative Castro.

Senator Hinojosa moved that HB 1666 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 0 absent.

Senator Ellis 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 1907 by Representative Madden.

Senator Whitmire requested unanimous consent to incorporate the amendments into a committee substitute; without objection, it was so ordered. Senator Hinojosa then moved that the committee

substitute be adopted; without objection, it was so ordered. Senator Ellis moved that HB 1907 do not pass but that CSHB 1907 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 0 absent.

Senator Patrick 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 1964 by Representative Villarreal.

Senator Patrick sent up a committee substitute. Senator Patrick moved adoption of the committee substitute; without objection, it was so ordered.

Senator Patrick moved that HB 1964 do not pass but that CSHB 1964 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 0 absent.

Senator Ellis 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 2015 by Representative Thompson.

Senator Hegar sent up a committee substitute.. Senator Hegar moved adoption of the committee substitute; without objection, it was so ordered.

Senator Hegar moved that HB 2015 do not pass but that CSHB 2015 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 0 absent.

Senator Hegar 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 2354 by Representative Madden.

Senator Hinojosa moved that HB 2354 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 0 absent.

Senator Hinojosa 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 2385 by Representative Geren.

Senator Patrick moved that HB 2385 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 0 absent.

Senator Patrick 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 2482 by representative Pena.

Senator Hegar moved that HB 2482 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 0 absent.

Senator Hegar 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 2633 by Representative Madden.

Senator Hegar moved that HB 2633 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 0 absent.

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

There being no further business, Senator Whitmire moved that the Committee be adjourned. Without objection, it was so ordered.

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Senator John Whitmire, Chair

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Michaela Bernacchio, Clerk