

The House Committee on Criminal Jurisprudence

83rd Legislature

April 16, 2013

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

E2.016

CORRECTED MINUTES

On April 25, 2013, 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 16, 2013. The following are the corrected minutes for that meeting:

Pursuant to a notice posted on April 11, 2013, and permission granted on April 16, 2013, to meet while the House was in session, the House Committee on Criminal Jurisprudence met in a public hearing and was called to order by the chair, Representative Herrero, at 12:23 p.m.

The initial quorum call was answered as follows: Representatives Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; and Toth.

A quorum was present.

House Committee on Criminal Jurisprudence

4/16/2013

HB 124

The chair laid out HB 124 as pending business.

The chair explained HB 124.

The chair moved that HB 124, 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 Herrero; Carter; Canales; Leach; Moody (5).

Nays: Representatives Schaefer; Toth (2).

Present, Not Voting: Representative Burnam (1).

Absent: Representative Hughes (1).

HB 260

The chair laid out HB 260 as pending business.

The chair explained HB 260.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Burnam moved that HB 260, 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 Herrero; Carter; Burnam; Canales; Leach; Moody (6).

Nays: Representatives Schaefer; Toth (2).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 439

The chair laid out HB 439 as pending business.

House Committee on Criminal Jurisprudence

4/16/2013

The chair explained HB 439.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Burnam moved that HB 439, 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 Herrero; Burnam; Canales; Schaefer; Toth (5).

Nays: Representatives Carter; Leach; Moody (3).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 705

The chair laid out HB 705 as pending business.

The chair explained HB 705.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Toth moved that HB 705, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 820

The chair laid out HB 820 as pending business.

The chair explained HB 820.

House Committee on Criminal Jurisprudence

4/16/2013

Representative Carter moved that HB 820, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 990

The chair laid out HB 990 as pending business.

The chair explained HB 990.

The chair moved that HB 990, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Toth (7).

Nays: Representative Schaefer (1).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 1010

The chair laid out HB 1010 as pending business.

The chair explained HB 1010.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

The chair moved that HB 1010, 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:

House Committee on Criminal Jurisprudence

4/16/2013

Ayes: Representatives Herrero; Carter; Burnam; Canales; Leach; Moody (6).

Nays: Representatives Schaefer; Toth (2).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 1096

The chair laid out HB 1096 as pending business.

The chair explained HB 1096.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Burnam moved that HB 1096, 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 Herrero; Carter; Burnam; Canales; Leach; Schaefer; Toth (7).

Nays: None (0).

Present, Not Voting: Representative Moody (1).

Absent: Representative Hughes (1).

HB 1242

The chair laid out HB 1242 as pending business.

The chair explained HB 1242.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Burnam moved that HB 1242, 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:

House Committee on Criminal Jurisprudence

4/16/2013

Ayes: Representatives Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 1302

The chair laid out HB 1302 as pending business.

The chair explained HB 1302.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Carter moved that HB 1302, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Toth (7).

Nays: None (0).

Present, Not Voting: Representative Schaefer (1).

Absent: Representative Hughes (1).

HB 1862

The chair laid out HB 1862 as pending business.

The chair explained HB 1862.

Representative Schaefer moved that HB 1862, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

House Committee on Criminal Jurisprudence

4/16/2013

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 1919

The chair laid out HB 1919 as pending business.

The chair explained HB 1919.

Representative Canales moved that HB 1919, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion failed by the following record vote:

Ayes: Representatives Herrero; Burnam; Canales; Moody (4).

Nays: Representatives Schaefer; Toth (2).

Present, Not Voting: Representatives Carter; Leach (2).

Absent: Representative Hughes (1).

HB 2172

The chair laid out HB 2172 as pending business.

The chair explained HB 2172.

The chair moved that HB 2172, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 2678

The chair laid out HB 2678 as pending business.

House Committee on Criminal Jurisprudence

4/16/2013

The chair explained HB 2678.

Representative Leach moved that HB 2678, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 3240

The chair laid out HB 3240 as pending business.

The chair explained HB 3240.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Leach moved that HB 3240, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 3671

The chair laid out HB 3671 as pending business.

The chair explained HB 3671.

House Committee on Criminal Jurisprudence

4/16/2013

Representative Burnam moved that HB 3671, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HB 3815

The chair laid out HB 3815 as pending business.

The chair explained HB 3815.

The chair moved that HB 3815, 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 Herrero; Carter; Burnam; Canales; Leach; Moody; Schaefer; Toth (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hughes (1).

HJR 39

The chair laid out HJR 39 as pending business.

The chair explained HJR 39.

The chair offered a complete committee substitute.

The committee substitute was adopted without objection.

Representative Toth moved that HJR 39, 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:

House Committee on Criminal Jurisprudence

4/16/2013

Ayes: Representatives Herrero; Carter; Leach; Moody; Schaefer; Toth (6).

Nays: Representative Burnam (1).

Present, Not Voting: Representative Canales (1).

Absent: Representative Hughes (1).

HB 3365

The chair laid out HB 3365.

The chair recognized Representative Pitts to explain HB 3365.

The chair offered a complete committee substitute.

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

The chair recognized Representative Pitts to close on HB 3365.

The committee substitute was withdrawn without objection.

HB 3365 was left pending without objection.

HB 3366

The chair laid out HB 3366.

The chair recognized Representative Pitts to explain HB 3366.

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

The chair recognized Representative Pitts to close on HB 3366.

HB 3366 was left pending without objection.

HB 1748

The chair laid out HB 1748.

The chair recognized Representative Branch to explain HB 1748.

The chair offered a complete committee substitute.

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

The chair recognized Representative Branch to close on HB 1748.

House Committee on Criminal Jurisprudence

4/16/2013

The committee substitute was withdrawn without objection.

HB 1748 was left pending without objection.

(Representative Hughes now present.)

HB 1359

The chair laid out HB 1359.

The chair recognized Representative Alonzo to explain HB 1359.

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

The chair recognized Representative Alonzo to close on HB 1359.

HB 1359 was left pending without objection.

HB 3275

The chair laid out HB 3275.

The chair recognized Representative Simmons to explain HB 3275.

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

The chair recognized Representative Simmons to close on HB 3275.

HB 3275 was left pending without objection.

HB 1311

The chair laid out HB 1311.

The chair recognized Representative Farias to explain HB 1311.

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

The chair recognized Representative Farias to close on HB 1311.

HB 1311 was left pending without objection.

HB 2898

The chair laid out HB 2898.

House Committee on Criminal Jurisprudence

4/16/2013

The chair recognized Representative Miller, Doug to explain HB 2898.

The chair offered a complete committee substitute.

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

The chair recognized Representative Miller, Doug to close on HB 2898.

The committee substitute was withdrawn without objection.

HB 2898 was left pending without objection.

HB 3197

The chair laid out HB 3197.

The chair recognized Representative Gonzales, Larry to explain HB 3197.

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

The chair recognized Representative Gonzales, Larry to close on HB 3197.

HB 3197 was left pending without objection.

HB 2572

The chair laid out HB 2572.

The chair recognized Representative McClendon to explain HB 2572.

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

The chair recognized Representative McClendon to close on HB 2572.

HB 2572 was left pending without objection.

HB 1069

The chair laid out HB 1069.

The chair recognized Representative McClendon to explain HB 1069.

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

The chair recognized Representative McClendon to close on HB 1069.

House Committee on Criminal Jurisprudence

4/16/2013

HB 1069 was left pending without objection.

HB 2849

The chair laid out HB 2849.

The chair recognized Representative White to explain HB 2849.

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

The chair recognized Representative White to close on HB 2849.

HB 2849 was left pending without objection.

HB 2736

The chair laid out HB 2736.

The chair recognized Representative White to explain HB 2736.

The chair offered a complete committee substitute.

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

The chair recognized Representative White to close on HB 2736.

The committee substitute was withdrawn without objection.

HB 2736 was left pending without objection.

HB 1275

The chair laid out HB 1275.

The chair recognized Representative Smith to explain HB 1275.

The chair offered a complete committee substitute.

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

The chair recognized Representative Smith to close on HB 1275.

The committee substitute was withdrawn without objection.

HB 1275 was left pending without objection.

House Committee on Criminal Jurisprudence

4/16/2013

HB 544

The chair laid out HB 544.

The chair recognized Representative Kleinschmidt to explain HB 544.

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

The chair recognized Representative Kleinschmidt to close on HB 544.

HB 544 was left pending without objection.

HB 2559

The chair laid out HB 2559.

The chair recognized Representative Thompson, Senfronia to explain HB 2559.

The chair offered a complete committee substitute.

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

The chair recognized Representative Thompson, Senfronia to close on HB 2559.

The committee substitute was withdrawn without objection.

HB 2559 was left pending without objection.

HB 2458

The chair laid out HB 2458.

The chair recognized Representative Thompson, Senfronia to explain HB 2458.

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

The chair recognized Representative Thompson, Senfronia to close on HB 2458.

HB 2458 was left pending without objection.

HB 2979

The chair laid out HB 2979.

The chair recognized Representative Parker to explain HB 2979.

House Committee on Criminal Jurisprudence

4/16/2013

The chair offered a complete committee substitute.

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

The chair recognized Representative Parker to close on HB 2979.

The committee substitute was withdrawn without objection.

HB 2979 was left pending without objection.

HB 2596

The chair laid out HB 2596.

The chair recognized Representative Davis, Yvonne to explain HB 2596.

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

The chair recognized Representative Davis, Yvonne to close on HB 2596.

HB 2596 was left pending without objection.

HB 1502

The chair laid out HB 1502.

The chair recognized Representative Raymond to explain HB 1502.

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

The chair recognized Representative Raymond to close on HB 1502.

HB 1502 was left pending without objection.

HB 266

The chair laid out HB 266.

The chair recognized Representative Miles to explain HB 266.

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

The chair recognized Representative Miles to close on HB 266.

HB 266 was left pending without objection.

House Committee on Criminal Jurisprudence

4/16/2013

HB 1483

The chair laid out HB 1483.

The chair recognized Representative Lozano to explain HB 1483.

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

The chair recognized Representative Lozano to close on HB 1483.

HB 1483 was left pending without objection.

HB 1628

The chair laid out HB 1628.

The chair recognized Representative Harper-Brown to explain HB 1628.

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

The chair recognized Representative Harper-Brown to close on HB 1628.

HB 1628 was left pending without objection.

HB 2539

The chair laid out HB 2539.

The chair recognized Representative Turner, Chris to explain HB 2539.

The chair offered a complete committee substitute.

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

The chair recognized Representative Turner, Chris to close on HB 2539.

The committee substitute was withdrawn without objection.

HB 2539 was left pending without objection.

HB 2579

The chair laid out HB 2579.

The chair recognized Representative Wu to explain HB 2579.

House Committee on Criminal Jurisprudence

4/16/2013

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

The chair recognized Representative Wu to close on HB 2579.

HB 2579 was left pending without objection.

HB 2842

The chair laid out HB 2842.

The chair recognized Representative Wu to explain HB 2842.

The chair offered a complete committee substitute.

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

The chair recognized Representative Wu to close on HB 2842.

The committee substitute was withdrawn without objection.

HB 2842 was left pending without objection.

HB 3138

The chair laid out HB 3138.

The chair recognized Representative Sheets to explain HB 3138.

The chair offered a complete committee substitute.

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

The chair recognized Representative Sheets to close on HB 3138.

The committee substitute was withdrawn without objection.

HB 3138 was left pending without objection.

HB 577

The chair laid out HB 577.

The chair recognized Representative Guillen to explain HB 577.

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

House Committee on Criminal Jurisprudence

4/16/2013

The chair recognized Representative Guillen to close on HB 577.

HB 577 was left pending without objection.

HB 2679

The chair laid out HB 2679.

The chair recognized Representative Guillen to explain HB 2679.

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

The chair recognized Representative Guillen to close on HB 2679.

HB 2679 was left pending without objection.

HB 2827

The chair laid out HB 2827.

The chair recognized Representative Burkett to explain HB 2827.

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

The chair recognized Representative Burkett to close on HB 2827.

HB 2827 was left pending without objection.

HB 2396

The chair laid out HB 2396.

The chair recognized Representative Bonnen, Greg to explain HB 2396.

The chair offered a complete committee substitute.

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

The chair recognized Representative Bonnen, Greg to close on HB 2396.

The committee substitute was withdrawn without objection.

HB 2396 was left pending without objection.

HB 2344

House Committee on Criminal Jurisprudence

4/16/2013

The chair laid out HB 2344.

The chair recognized Representative Zedler to explain HB 2344.

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

The chair recognized Representative Zedler to close on HB 2344.

HB 2344 was left pending without objection.

HB 1437

The chair laid out HB 1437.

The chair recognized Representative Lucio III to explain HB 1437.

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

The chair recognized Representative Lucio III to close on HB 1437.

HB 1437 was left pending without objection.

HB 1438

The chair laid out HB 1438.

The chair recognized Representative Lucio III to explain HB 1438.

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

The chair recognized Representative Lucio III to close on HB 1438.

HB 1438 was left pending without objection.

HB 279

The chair laid out HB 279.

The chair recognized Representative Lucio III to explain HB 279.

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

The chair recognized Representative Lucio III to close on HB 279.

HB 279 was left pending without objection.

House Committee on Criminal Jurisprudence

4/16/2013

HB 3220

The chair laid out HB 3220.

The chair recognized Representative Springer to explain HB 3220.

The chair offered a complete committee substitute.

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

The chair recognized Representative Springer to close on HB 3220.

The committee substitute was withdrawn without objection.

HB 3220 was left pending without objection.

HB 1743

The chair laid out HB 1743.

The chair recognized Representative Johnson to explain HB 1743.

The chair offered a complete committee substitute.

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

The chair recognized Representative Johnson to close on HB 1743.

The committee substitute was withdrawn without objection.

HB 1743 was left pending without objection.

HB 2801

The chair laid out HB 2801.

The chair recognized Representative Johnson to explain HB 2801.

The chair offered a complete committee substitute.

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

The chair recognized Representative Johnson to close on HB 2801.

The committee substitute was withdrawn without objection.

House Committee on Criminal Jurisprudence

4/16/2013

HB 2801 was left pending without objection.

HB 2266

The chair laid out HB 2266.

The chair recognized Representative Larson to explain HB 2266.

The chair offered a complete committee substitute.

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

The chair recognized Representative Larson to close on HB 2266.

The committee substitute was withdrawn without objection.

HB 2266 was left pending without objection.

HB 189

The chair laid out HB 189.

The chair recognized Representative Dutton to explain HB 189.

The chair offered a complete committee substitute.

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

The chair recognized Representative Dutton to close on HB 189.

The committee substitute was withdrawn without objection.

HB 189 was left pending without objection.

HB 328

The chair laid out HB 328.

The chair recognized Representative Dutton to explain HB 328.

The chair offered a complete committee substitute.

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

The chair recognized Representative Dutton to close on HB 328.

House Committee on Criminal Jurisprudence

4/16/2013

The committee substitute was withdrawn without objection.

HB 328 was left pending without objection.

HB 501

The chair laid out HB 501.

The chair recognized Representative Moody to explain HB 501.

The chair offered a complete committee substitute.

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

The chair recognized Representative Moody to close on HB 501.

The committee substitute was withdrawn without objection.

HB 501 was left pending without objection.

HB 3324

The chair laid out HB 3324.

The chair recognized Representative Moody to explain HB 3324.

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

The chair recognized Representative Moody to close on HB 3324.

HB 3324 was left pending without objection.

HB 3406

The chair laid out HB 3406.

The chair explained HB 3406.

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

The chair closed on HB 3406.

HB 3406 was left pending without objection.

HB 3057

House Committee on Criminal Jurisprudence

4/16/2013

The chair laid out HB 3057.

The chair explained HB 3057.

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

The chair closed on HB 3057.

HB 3057 was left pending without objection.

HB 3061

The chair laid out HB 3061.

The chair explained HB 3061.

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

The chair closed on HB 3061.

HB 3061 was left pending without objection.

At 11:39 p.m., on the motion of the chair and without objection, the meeting was adjourned subject to the call of the chair.

Rep. Herrero, Chair

Vanessa Fuentes, Clerk