

## MINUTES

### SENATE COMMITTEE ON BUSINESS & COMMERCE

Thursday, May 18, 2017

8:00 AM

Capitol Extension, Room E1.016

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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 Business & Commerce was held on Thursday, May 18, 2017, in the Capitol Extension, Room E1.016, at Austin, Texas.

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#### **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

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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 1166 and recognized Senator Campbell, in the absence of the Senate sponsor. Senator Campbell moved that HB 1166 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 1284 and recognized Senator Campbell, in the absence of the Senate sponsor. Senator Campbell moved that HB 1284 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 1944, in lieu of SB 915, which was considered at a previous hearing. Senator Campbell moved that HB 1944 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 2 nays, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business HB 2101 and recognized Senator Campbell, in the absence of the Senate sponsor. Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell moved that HB 2101 do not pass but that CSHB 2101 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 HB 3287 and recognized the Senate sponsor, Senator Seliger, to explain the bill. Senator Hancock sent up a committee substitute. The chair recognized Senator Seliger to explain the difference between the committee substitute and the house bill as engrossed. Senator Hancock moved committee substitute be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 4042 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. Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell moved that HB 4042 do not pass but that CSHB 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, 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 91 and recognized Senator Campbell, in the absence of the Senate sponsor. Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell moved that HB 91 do not pass

but that CSHB 91 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, 2 nays, 0 present not voting, and 1 absent.

The chair laid out SR 712 and recognized the author, Senator Seliger, 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 SR 712 be left pending; without objection, it was so ordered.

The chair laid out HB 1861 and recognized the author, Senator Watson, 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 1861 be left pending; without objection, it was so ordered.

The chair laid out HB 2070 and recognized the author, Senator Watson, 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 2070 be left pending; without objection, it was so ordered.

The chair laid out HB 3052 and recognized the author, Senator Watson, 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 3052 be left pending; without objection, it was so ordered.

The chair laid out HB 1689 and recognized the author, Senator Perry, 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 1689 be left pending; without objection, it was so ordered.

The chair laid out HB 2082 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 HB 2082 be left pending; without objection, it was so ordered.

The chair laid out HB 3131 and recognized the Senate sponsor, Senator Rodríguez, to explain the bill. Senator Campbell sent up a committee substitute. The chair recognized Senator Rodríguez 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.

The chair laid out HB 349 and recognized the author, Senator Hinojosa, 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 Hinojosa moved that HB 349 be left pending; without objection, it was so ordered.

The chair laid out HB 2304 and recognized the Senate sponsor, Senator Schwertner, to explain the bill. Senator Schwertner sent up a committee substitute. The chair recognized Senator Schwertner 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.

The chair laid out HB 3047 and recognized the author, 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 3047 be left pending; without objection, it was so ordered.

The chair laid out HB 3218 and recognized the author, 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 3218 be left pending; without objection, it was so ordered.

The chair laid out HB 457 and recognized the Senate sponsor, Senator Estes, to explain the bill. Senator Estes sent up a committee substitute. The chair recognized Senator Estes 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.

The chair laid out HB 1698 and recognized the author, Senator Estes, 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 1698 be left pending; without objection, it was so ordered.

The chair laid out HB 2305 and recognized the author, Senator Estes, 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 2305 be left pending; without objection, it was so ordered.

The chair laid out HB 3003 and recognized the author, 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 3003 be left pending; without objection, it was so ordered.

The chair laid out HB 3243 and recognized the author, 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 3243 be left pending; without objection, it was so ordered.

The chair laid out HB 1508 and recognized the Senate sponsor, Senator West, to explain the bill. Senator Campbell sent up a committee substitute. The chair recognized Senator West 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.

The chair laid out HB 1657 and recognized the author, Senator West, 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 1657 be left pending; without objection, it was so ordered.

The chair laid out HB 2542 and recognized the author, 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 2542 be left pending; without objection, it was so ordered.

The chair laid out HB 451 and recognized the author, Senator Creighton, 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 451 be left pending; without objection, it was so ordered.

The chair laid out HB 1470 and recognized the author, Senator Creighton, 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 1470 be left pending; without objection, it was so ordered.

The chair laid out HB 1948 and recognized the author, Senator Creighton, 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 1948 be left pending; without objection, it was so ordered.

The chair laid out HB 2757 and recognized the author, Senator Creighton, 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 2757 be left pending; without objection, it was so ordered.

The chair laid out HB 1036 and recognized the Senate sponsor, Senator Whitmire, to explain the bill. Senator Whitmire 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 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 1983 and recognized the author, Senator Whitmire, 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 1983 be left pending; without objection, it was so ordered.

The chair laid out HB 3029 and recognized the Senate sponsor, Senator Whitmire, to explain the bill. Senator Whitmire 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.

The chair laid out HB 2949 and recognized the author, Senator Creighton, 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 2949 be left pending; without objection, it was so ordered.

The chair laid out HB 2976 and recognized the Senate sponsor, Senator Creighton, 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 2976 be left pending; without objection, it was so ordered.

The chair laid out HB 442 and recognized the Senate sponsor, Senator Van Taylor, to explain the bill. Senator Hancock sent up Committee Amendment 1 and recognized Senator Van Taylor to explain the amendment. 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 442 be left pending; without objection, it was so ordered.

The chair laid out HB 2818 and recognized the Senate sponsor, Senator Van 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 2818 be left pending; without objection, it was so ordered.

The chair laid out HB 1296 and recognized Senator Creighton, 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. The chair moved that the public testimony be closed; without objection, it was so ordered.

The chair laid out HB 3021 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 3021 be left pending; without objection, it was so ordered.

The chair laid out HB 3107 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 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 462 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 462 be left pending; without objection, it was so ordered.

The chair laid out HB 2111 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 2111 be left pending; without objection, it was so ordered.

The chair laid out HB 2112 and recognized the Senate sponsor, 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 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.

The chair laid out HB 4007 and recognized the Senate sponsor, 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 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 Campbell assumed the chair.

The chair laid out HB 1298 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 Campbell moved that HB 1298 be left pending; without objection, it was so ordered.

The chair laid out HB 1975 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 Campbell moved that HB 1975 be left pending; without objection, it was so ordered.

The chair laid out HB 3370 and recognized the Senate sponsor, Senator Hancock, to explain the bill. Senator Hancock sent up a committee substitute. The chair recognized Senator Hancock 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 Campbell moved committee substitute be left pending; without objection, it was so ordered.



The chair laid out HB 3879 and recognized the Senate sponsor, Senator Hancock, to explain the bill. Senator Estes sent up a committee substitute. The chair recognized Senator Hancock 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 Campbell moved committee substitute be left pending; without objection, it was so ordered.

Motions in Writing requesting unanimous consent to be shown voting aye were submitted by the following: Senator Creighton on CSHB 91, HB 1166, HB 1284, CSHB 2101, CSHB 4042; Senator Whitmire on HB 1166, HB 1284, HB 1944, CSHB 2101 and CSHB 4042. These votes are reflected in the final votes on the aforementioned bills.

Motions in Writing requesting unanimous consent to be shown voting nay were submitted by the following: Senator Creighton on HB 1944; Senator Whitmire on CSHB 91. These votes are reflected in the final votes on the aforementioned bills.

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

HB 1036  
HB 2304  
HB 2542  
HB 2949  
HB 3003  
HB 3047  
HB 3052  
HB 3131  
HB 3879

There being no further business, at 9:40 AM Senator Hancock moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Kelly Hancock, Chair

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Tatum Reagan, Clerk

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