

## MINUTES

### SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, April 25, 2017  
1:30 PM or upon adjournment  
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 Criminal Justice was held on Tuesday, April 25, 2017, in the Capitol Extension, Room E1.016, at Austin, Texas.

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#### **MEMBERS PRESENT:**

Senator John Whitmire, Chair  
Senator Joan Huffman, Vice Chair  
Senator Brian Birdwell  
Senator Konni Burton  
Senator Brandon Creighton  
Senator Sylvia Garcia  
Senator José Menéndez  
Senator Charles Perry

#### **MEMBERS ABSENT:**

Senator Bryan Hughes

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The chair called the meeting to order at 1:30 PM. There being a quorum present, the following business was transacted:

The following members arrived after the roll was called:

Senator Brandon Creighton  
Senator José Menéndez

The chair laid out SB 1350 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 Perry moved that SB 1350 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 Hughes was absent.

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

The chair laid out SB 527 and recognized the author, Senator Birdwell, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Perry to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire moved adoption of the committee substitute; without objection, it was so ordered.

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 Birdwell moved that SB 527 do not pass but that CSSB 527 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 Hughes was absent.

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

The chair laid out SB 297 and recognized the author, Senator Hinojosa, 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 Huffman moved that SB 297 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 Hughes was absent.

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

The chair laid out SB 47 and recognized Senator Menéndez, in the absence of the author, 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 Menéndez moved that SB 47 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, 1 nay, 0 present not voting, and 1 absent. Senator Hughes was absent.

The chair laid out SB 50 and recognized Senator Menéndez, in the absence of the author, 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 Perry moved that SB 50 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, 1 present not voting, and 1 absent. Senator Hughes was absent. Senator Burton was shown present, but not voting.

The chair laid out SB 2238 and recognized the author, Senator Garcia, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Garcia to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire moved adoption of the committee substitute; without objection, it was so ordered.

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 Garcia moved that SB 2238 do not pass but that CSSB 2238 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 Hughes and Senator Creighton were absent.

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

The chair laid out SB 1369 and recognized the author, Senator Menéndez, 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 Menéndez moved that SB 1369 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 Hughes was absent.

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

The chair laid out SB 1824 and recognized the author, Senator Burton, 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 Perry moved that SB 1824 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 Hughes was absent.

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

The chair laid out SB 1836 and recognized the author, Senator Burton, 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 Menéndez moved that SB 1836 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, 1 nay, 0 present not voting, and 2 absent. Senator Hughes and Senator Creighton were absent.

The chair laid out SB 1214 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 Perry moved that SB 1214 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 Hughes was absent.

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

At 2:31 PM Senator Huffman assumed the chair.

The chair laid out SB 1975 and recognized the author, 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 senate bill as filed. Senator Whitmire moved adoption of the committee substitute; without objection, it was so ordered.

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 Whitmire moved that SB 1975 do not pass but that CSSB 1975 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 Hughes was absent.

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

At 2:33 PM Senator Whitmire resumed the chair.

There being no further business, at 2:33 PM Senator Whitmire moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator John Whitmire, Chair

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Terra Tucker, Clerk