

## MINUTES

### SENATE COMMITTEE ON CRIMINAL JUSTICE

Wednesday, May 10, 2017  
2:00 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 Wednesday, May 10, 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 Bryan Hughes  
Senator Charles Perry

#### **MEMBERS ABSENT:**

Senator José Menéndez

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Senator Joan Huffman, the acting chair, called the meeting to order at 6:08 PM. There being a quorum present at 6:24 PM, the following business was transacted:

The chair laid out HB 1178 and recognized the Senate sponsor, Senator Juan Hinojosa, to explain the bill.

Senator Huffman sent up a committee substitute. The chair recognized Senator Hinojosa to explain the difference between the committee substitute and the house bill as engrossed. Senator Garcia 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 Huffman moved that HB 1178 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry moved that HB 1178 do not pass but that CSHB 1178 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 Perry moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 355 and recognized the Senate sponsor, Senator Buckingham, 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 Huffman moved that HB 355 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Burton moved that HB 355 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 Burton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1177 and recognized the Senate sponsor, Senator Buckingham, 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 HB 1177 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Huffman moved that HB 1177 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 Menéndez and Senator Creighton were absent.

The chair laid out HB 932 and recognized the Senate sponsor, Senator West, 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 Huffman moved that HB 932 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry moved that HB 932 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 Perry moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 268 and recognized Senator Garcia, 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.

Senator Huffman moved that HB 268 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Garcia moved that HB 268 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 Garcia moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 6:19 PM Senator Burton assumed the chair.

The chair laid out HB 29 and recognized the Senate sponsor, Senator Huffman, 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 Burton moved that HB 29 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry moved that HB 29 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.

At 6:24 PM Senator Huffman resumed the chair.

There being a quorum present at 6:24 PM, the chair moved for the call of roll.

The chair laid out HB 1729 and recognized the Senate sponsor, Senator Garcia, 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 Garcia moved that HB 1729 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.

The chair laid out HB 1264 and recognized Senator Burton, 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.

Senator Burton moved that HB 1264 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 Burton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1257 and recognized the Senate sponsor, Senator Birdwell, 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 Birdwell moved that HB 1257 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 Birdwell 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 SB 1822 and recognized the author, Senator Burton, to explain the bill.

Senator Huffman sent up a committee substitute. The chair recognized Senator Burton to explain the difference between the committee substitute and the senate bill as filed.

Senator Burton moved that SB 1822 do not pass but that CSSB 1822 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 Burton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1424 and recognized the Senate sponsor, Senator Buckingham, to explain the bill.

Senator Huffman sent up a committee substitute. The chair recognized Senator Buckingham to explain the difference between the committee substitute and the house bill as engrossed. Senator Burton 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.

At 6:40 PM Senator Whitmire assumed the chair.

Senator Whitmire moved that SB 1424 be left pending; without objection, it was so ordered.

There being no further business, at 7:38 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