

MINUTES

SENATE COMMITTEE ON CRIMINAL JUSTICE

Friday, May 17, 2019

8:30 AM or upon recess of the Business and Commerce Committee

Betty King Committee Room

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 Friday, May 17, 2019, in the Betty King Committee Room at Austin, Texas. In accordance with suspension Senate Rules 11.10 and 11.18, the committee reconvened at Senator Whitmire's desk at 3:15 PM to address pending business. In addition, Senate Rules 11.10 and 11.18 were suspended in order to hear additional bills not posted per the 24 hour posting rule. Senator Huffman was absent for votes on all of the bills for Friday, May 17th.

MEMBERS PRESENT:

Senator John Whitmire, Chair
Senator Joan Huffman, Vice Chair
Senator Dawn Buckingham
Senator Peter Flores
Senator Borris Miles
Senator Bryan Hughes
Senator Charles Perry

MEMBERS ABSENT:

The chair called the meeting to order at 8:30 AM. There being a quorum present, the following business was transacted:

The chair laid out HB 2625 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 Whitmire moved that HB 2625 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Hughes moved that HB 2625 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out HB 4531 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 Whitmire moved that HB 4531 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Flores moved that HB 4531 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out HB 4157 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 Whitmire moved that HB 4157 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Perry moved that HB 4157 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, 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 3316 and recognized the Senate sponsor, Senator Schwertner, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Schwertner to explain the difference between the committee substitute and the house bill as engrossed. 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 Whitmire moved that HB 3316 be left pending to await a room change upon recess of the Senate, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Flores moved that HB 3316 do not pass but that CSHB 3316 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, 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 3503 and recognized the Senate sponsor, 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 Whitmire moved that HB 3503 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Flores moved that HB 3503 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, 0 nays, 0 present not voting, and 1 absent.

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

At 8:40 AM Senator Flores assumed the chair.

The chair laid out HB 3440 and recognized the Senate sponsor, 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 Flores moved that HB 3440 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Perry moved that HB 3440 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, 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 4468 and recognized the Senate sponsor, 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 Whitmire moved that HB 4468 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Flores moved that HB 4468 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, 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.

At 8:46 AM Senator Whitmire resumed the chair.

The chair laid out HB 3082 and recognized the Senate sponsor, Senator Birdwell, 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 Whitmire moved that HB 3082 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Perry moved that HB 3082 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, 0 nays, 0 present not voting, and 1 absent.

The chair laid out HB 4236 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 Whitmire moved that HB 4236 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Perry moved that HB 4236 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, 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 101 and recognized Senator Flores, in the absence of 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 Whitmire moved that HB 101 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator

Hughes moved that HB 101 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out HB 3716 and recognized Senator Huffman, in the absence of the Senate sponsor Senator Nelson, 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 Whitmire moved that HB 3716 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Hughes moved that HB 3716 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out HB 4754 and recognized the Senate sponsor, 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 Whitmire moved that HB 4754 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Perry moved that HB 4754 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out HB 3800 and recognized the Senate sponsor, Senator Huffman, to explain the bill.

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

Senator Whitmire moved that HB 3800 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Perry moved that HB 3800 do not pass but that CSHB 3800 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, 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 37 and recognized the Senate sponsor, 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 Whitmire moved that HB 37 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Perry moved that HB 37 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, 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 2524 and recognized the Senate sponsor, Senator Miles, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Miles to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 2524 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Miles moved that HB 2524 do not pass but that CSHB 2524 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, 0 nays, 0 present not voting, and 1 absent.

Senator Flores 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 1139 and recognized the Senate sponsor, Senator Miles, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Miles to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 1139 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Hughes moved that HB 1139 do not pass but that CSHB 1139 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out HB 4559 and recognized the Senate sponsor, Senator Rodríguez, 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 Whitmire moved that HB 4559 be left pending to await a room change upon recess of the Senate; without objection, it was so ordered. Upon meeting at Senator Whitmire's desk, Senator Perry moved that HB 4559 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, 0 nays, 0 present not voting, and 1 absent.

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

Upon recess of the Senate, at Senator Whitmire's desk and in accordance with suspension of rules 11.10 and 11.18, the chair laid out HB 3091 and recognized Senator Whitmire, in the absence of the Senate sponsor Senator Campbell, to explain the bill.

The chair opened public testimony; there being none the chair moved that public testimony be closed; without objection, it was so ordered.

Senator Hughes moved that HB 3091 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, 0 nays, 0 present not voting, and 1 absent.

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

The following additional actions were taken due to suspension of all necessary rules at Senator Whitmire's desk:

The chair laid out HB 3540 and recognized Senator Whitmire, in lieu of the Senate sponsor Senator Hughes, to explain the bill.

The chair opened public testimony; there being none the chair moved that public testimony be closed; without objection, it was so ordered.

Senator Hughes moved that HB 3540 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, 0 nays, 0 present not voting, and 1 absent.

Senate Committee on Criminal Justice

Minutes

Friday, May 17, 2019

Page 10

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

There being no further business, at 3:27 PM Senator Whitmire moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator John Whitmire, Chair

Amanda Salazar, Clerk