

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Thursday, April 13, 2023

8:00 AM

Capitol Extension, Room E1.012

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, April 13, 2023, in the Capitol Extension, Room E1.012, at Austin, Texas.

MEMBERS PRESENT:

Senator Charles Schwertner, Chair
Senator Brian Birdwell
Senator Donna Campbell
Senator Brandon Creighton
Senator Nathan Johnson
Senator Lois Kolkhorst
Senator José Menéndez
Senator Mayes Middleton
Senator Robert Nichols
Senator Judith Zaffirini

MEMBERS ABSENT:

Senator Phil King, Vice Chair

The Chair called the meeting to order at 8:01 AM. There being a quorum present, the following business was transacted:

The following members arrived after the roll was called: Senator Creighton, Senator Menéndez, Senator Middleton.

The Chair laid out SB 1732 by Senator Hancock as a matter of pending business. The Chair moved to withdraw the previous committee substitute that was considered at the April 4, 2023 Hearing. Without objection, it was so ordered. Senator Nichols sent up the committee substitute to SB 1732. The Chair recognized the author to explain the difference between the committee

substitute and the bill as filed. The Chair moved adoption of the committee substitute; without objection, it was so ordered. The Chair moved that CSSB 1732 be left pending; without objection, it was so ordered.

The Chair laid out SB 1658 and recognized the author, Senator Hinojosa, to explain the bill. Senator Nichols sent up the committee substitute to SB 1658. The Chair recognized the author to explain the difference in the substitute and the bill as filed. 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. The Chair moved that SB 1658 be left pending; without objection, it was so ordered.

The Chair laid out SB 330 by Senator Hall as a matter of pending business. The Chair moved to withdraw the previous committee substitute that was considered at the March 28, 2023 Hearing. The Chair sent up the committee substitute to SB 330. The Chair recognized the author to explain the difference between the committee substitute and the bill as filed. The Chair moved adoption of the committee substitute; without objection, it was so ordered. The Chair withdrew adoption of the committee substitute; without objection, it was so ordered. The Chair sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted. The Chair requested unanimous consent to incorporate the amendment into the bill to create a committee substitute; without objection, it was so ordered. The Chair moved adoption of the committee substitute; without objection, it was so ordered. The Chair moved that CSSB 330 be left pending; without objection, it was so ordered.

Senator Nichols assumed the chair.

The Chair laid out SB 1296 and recognized the author, Senator Schwertner, to explain the bill. Senator Schwertner sent up the committee substitute to SB 1296. The Chair recognized the author to explain the difference in the substitute and the bill as filed. 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. The Chair moved that SB 1296 be left pending; without objection, it was so ordered.

Senator Schwertner resumed the chair.

The Chair laid out SB 943 and recognized the author, Senator Kolkhorst, to explain the bill. Witness 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. The Chair moved that SB 943 be left pending; without objection, it was so ordered.

The Chair laid out SB 624 by Senator Kolkhorst as a matter of pending business. Senator Kolkhorst sent up the committee substitute to SB 624. The Chair recognized the author to explain the difference between the committee substitute and the bill as filed. The Chair moved adoption of the committee substitute; without objection, it was so ordered.

The Chair laid out SB 246 and recognized the author, Senator Alvarado, to explain the bill. Witness 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. The Chair moved that SB 246 be left pending; without objection, it was so ordered.

The Chair laid out SB 1984 and recognized the author, Senator Alvarado, to explain the bill. Senator Nichols sent up the committee substitute to SB 1984. Senator Nichols moved adoption of the committee substitute; without objection, it was so ordered. The Chair recognized the author to explain the difference in the substitute and the bill as filed. 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. The Chair moved that SB 1984 be left pending; without objection, it was so ordered.

The Chair laid out SB 258 and recognized the author, Senator Eckhardt, to explain the bill. Senator Nichols sent up the committee substitute to SB 258. The Chair recognized the author to explain the difference in the substitute and the bill as filed. 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. The Chair moved that SB 258 be left pending; without objection, it was so ordered.

The Chair laid out SB 958 by Senator Campbell as a matter of pending business. Senator Campbell moved that SB 958 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 1170 by Senator Perry as a matter of pending business. Senator Nichols moved that SB 1170 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 1219 by Senator Kolkhorst as a matter of pending business. Senator Kolkhorst moved that SB 1219 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out CSSB 1404 by Senator Parker as a matter of pending business. The committee substitute was adopted at a previous hearing. Senator Nichols moved that SB 1404 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 1431 by Senator Hinojosa as a matter of pending business. Senator Nichols moved that SB 1431 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out CSSB 1607 by Senator Kolkhorst as a matter of pending business. The committee substitute was adopted at a previous hearing. Senator Kolkhorst moved that SB 1607 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 1644 by Senator Parker as a matter of pending business. Senator Kolkhorst moved that SB 1644 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 1645 by Senator Parker as a matter of pending business. Senator Nichols moved that SB 1645 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out CSSB 624 by Senator Kolkhorst as a matter of pending business. The committee substitute was adopted earlier in the hearing. Senator Kolkhorst moved that SB 624 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 7 ayes, 3 nays, 0 present not voting, and 1 absent.

The Chair laid out SB 1646 by Senator Parker as a matter of pending business. Senator Nichols moved that SB 1646 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out CSSB 1866 by Senator Nichols as a matter of pending business. The committee substitute was adopted at a previous hearing. Senator Nichols moved that SB 1866 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 2232 by Senator LaMantia as a matter of pending business. Senator Nichols moved that SB 2232 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 2233 by Senator LaMantia as a matter of pending business. Senator Nichols moved that SB 2233 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 2269 by Senator Perry as a matter of pending business. Senator Nichols moved that SB 2269 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out CSSB 1344 by Senator Nichols as a matter of pending business. The committee substitute was adopted at a previous hearing. Senator Nichols moved that SB 1344 do

not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 2493 by Senator Middleton as a matter of pending business. Senator Nichols moved that SB 2493 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 2112 by Senator Johnson as a matter of pending business. Senator Johnson sent up the committee substitute to SB 2112. The Chair recognized the author to explain the difference between the committee substitute and the bill as filed. The Chair moved adoption of the committee substitute; without objection, it was so ordered. Senator Johnson moved that SB 2112 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent.

The Chair laid out CSJR 82 by Senator Johnson as a matter of pending business. Senator Johnson moved to withdraw the previous committee substitute that was considered at the March 28, 2023 Hearing. Without objection, it was so ordered. Senator Johnson sent up a new committee substitute to SJR 82. The Chair recognized Senator Johnson to explain the difference between the committee substitute and the bill as filed. Senator Johnson moved adoption of the committee substitute; without objection, it was so ordered. Senator Johnson moved that SJR 82 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 10 ayes, 0 nays, 0 present not voting, and 1 absent.

The Chair laid out CSSB 330 by Senator Hall as a matter of pending business. The committee substitute was adopted earlier in the hearing. Senator Nichols moved that SB 330 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 1 present not voting, and 1 absent.

The Chair laid out CSSB 1732 by Senator Hancock as a matter of pending business. The committee substitute was adopted earlier in the hearing. Senator Nichols moved that SB 1732 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out SB 2040 by Senator Springer as a matter of pending business. Senator Nichols sent up the committee substitute to SB 2040. The Chair recognized the author to explain the difference between the committee substitute and the bill as filed. The Chair moved adoption of the committee substitute; without objection, it was so ordered. Senator Nichols moved that SB 2040 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent.

Senator Nichols assumed the chair.

The Chair laid out CSSB 1094 by Senator Schwertner as a matter of pending business. Senator Schwertner moved to withdraw the previous committee substitute that was considered at the March 30, 2023 Hearing. Without objection, it was so ordered. Senator Schwertner sent up a new committee substitute to SB 1094. The Chair recognized the author to explain the difference between the committee substitute and the bill as filed. Senator Schwertner moved adoption of the committee substitute; without objection, it was so ordered. Senator Schwertner moved that SB 1094 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Schwertner moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Schwertner resumed the chair.

The Chair laid out SB 2214 and recognized the author, Senator Blanco, to explain the bill. Witness 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. The Chair moved that SB 2214 be left pending; without objection, it was so ordered.

The Chair laid out SB 770 and recognized the author, Senator Parker, to explain the bill. Witness 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. The Chair moved that SB 770 be left pending; without objection, it was so ordered.

At 10:53 AM, the Chair moved that the Committee stand recessed subject to the call of the chair.

At 3:20 PM, Senator Nichols assumed the chair and called the meeting back to order.

The Chair laid out SB 1371 and recognized the author, Senator Johnson, to explain the bill.

Individuals 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 SB 1371 be left pending; without objection, it was so ordered.

The Chair laid out SB 2110 and recognized the author, Senator Johnson, to explain the bill.

Senator Schwertner resumes the chair.

Senator Johnson sent up the committee substitute to SB 2110. The Chair moved adoption of the committee substitute; without objection, it was so ordered. The Chair recognized the author to explain the difference in the substitute and the bill as filed. 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. The Chair moved that CSSB 2110 be left pending; without objection, it was so ordered.

Senator Birdwell assumed the chair.

The Chair laid out SB 1872 and recognized the author, Senator Schwertner, to explain the bill. Witness 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. The Chair moved that SB 1872 be left pending; without objection, it was so ordered.

The Chair laid out SB 1873 and recognized the author, Senator Schwertner, to explain the bill. Witness 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. The Chair moved that SB 1873 be left pending; without objection, it was so ordered.

The Chair laid out SB 1095 and recognized the author, Senator Schwertner, to explain the bill. Senator Schwertner sent up the committee substitute to SB 1095. The Chair recognized the author to explain the difference in the substitute and the bill as filed. 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. The Chair moved that SB 1095 be left pending; without objection, it was so ordered.

Senator Schwertner resumed the chair.

The Chair laid out SB 365 and recognized the author, Senator Zaffirini, to explain the bill. Witness 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. The Chair moved that SB 365 be left pending; without objection, it was so ordered.

The Chair laid out SB 114 and recognized the author, Senator Menéndez, to explain the bill. Senator Menéndez sent up the committee substitute to SB 114. The Chair recognized the author to explain the difference in the substitute and the bill as filed. 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. The Chair moved that SB 114 be left pending; without objection, it was so ordered.

There being no further business, at 5:40 PM, the Chair moved that the Committee stand adjourned subject to the call of the chair. Without objection, it was so ordered.

Senator Charles Schwertner, Chair

Annika Vandayar, Clerk