

MINUTES

SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, March 26, 2013

1:30 PM or upon adjournment

Capitol Extension, Room E1.016

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, March 26, 2013, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator John Whitmire, Chair
Senator Joan Huffman, Vice Chair
Senator Juan Hinojosa
Senator Dan Patrick
Senator José Rodríguez
Senator Charles Schwertner

MEMBERS ABSENT:

Senator John Carona

The chair called the meeting to order at 1:32 PM. The following business was transacted:

The chair laid out SB 299 and recognized the author, Senator Estes, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator Estes to explain the difference between the committee substitute and the senate bill as filed. Senator Hinojosa 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.

The chair moved that CSSB 299 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out SB 545 and recognized the author, Senator Hancock, 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 SB 545 be left pending to await a quorum; without objection, it was so ordered

The chair laid out SB 1611 and recognized the authors, Senator Ellis and Senator Duncan, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator Ellis and Senator Duncan to explain the difference between the committee substitute and the senate bill as filed. Senator Hinojosa 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 1611 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out SB 965 and recognized Senator Ellis, 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 Whitmire moved that SB 965 be left pending to await a quorum; without objection, it was so ordered.

At 2:21 PM Senator Rodríguez assumed the chair.

The chair laid out SB 669 and recognized the author, Senator Whitmire, 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 SB 669 be left pending; without objection, it was so ordered.

At 2:40 PM Senator Whitmire resumed the chair.

There being a quorum present at 2:41 PM the following business was transacted:

The chair laid out SB 990 and recognized the author, Senator West, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator West to explain the difference between the committee substitute and the senate bill as filed. Senator Hinojosa 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 CSSB 990 be left pending; without objection, it was so ordered.

The chair laid out SB 1348 and recognized the author, Senator West, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator West to explain the difference between the committee substitute and the senate bill as filed. Senator Hinojosa 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 CSSB 1348 be left pending; without objection, it was so ordered.

The chair laid out SB 1289 and recognized Senator Rodríguez, in the absence of the author, to explain the bill.

At 2:55 PM Senator Hinojosa assumed the chair.

Senator Schwertner sent up a committee substitute; the chair recognized Senator Rodríguez to explain the difference between the committee substitute and the senate bill as filed. Senator Schwertner 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 3:01 PM Senator Whitmire resumed the chair.

Senator Whitmire moved that CSSB 1289 be left pending; without objection, it was so ordered.

The chair laid out SB 481 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 Whitmire moved that SB 481 be left pending; without objection, it was so ordered.

The chair laid out SB 1096 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 Whitmire moved that SB 1096 be left pending; without objection, it was so ordered.

The chair laid out SB 786 and recognized the author, Senator Hinojosa, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator Hinojosa to explain the difference between the committee substitute and the senate bill as filed. Senator Hinojosa 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 786 be left pending; without objection, it was so ordered.

The chair laid out SB 686 and recognized the author, Senator Huffman, 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 SB 686 be left pending; without objection, it was so ordered.

At 4:33 PM Senator Huffman assumed the chair.

The chair laid out SB 670 and recognized the author, Senator Whitmire, 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 SB 670 be left pending; without objection, it was so ordered.

The chair laid out SB 1114 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.

Senator Whitmire sent up amendment one and moved adoption; without objection, it was so ordered.

Senator Whitmire requested unanimous consent to incorporate amendment one into the bill to create a new committee substitute; without objection, it was so ordered. Senator Whitmire then moved that the new committee substitute be adopted; without objection, it was so ordered. Senator Whitmire moved that SB 1114 do not pass but that CSSB 1114 be reported back to the Senate with the recommendation that it do pass and be printed.

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 1114 be left pending; without objection, it was so ordered.

The chair laid out SB 876 and recognized the author, Senator Patrick, 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 Patrick moved that SB 876 be left pending; without objection, it was so ordered.

At 5:06 PM Senator Whitmire resumed the chair.

The chair laid out as a matter of pending business SB 767 and recognized the author, Senator Patrick, to explain the bill.

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

Senator Patrick moved that SB 767 do not pass but that CSSB 767 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

As a matter of pending business, the chair laid out SB 299.

Senator Hinojosa moved that SB 299 do not pass but that CSSB 299 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 1 nay, 0 present not voting, and 1 absent. Senator Schwertner submitted a motion in writing requesting to be shown voting aye on CSSB 299.

As a matter of pending business, the chair laid out SB 545.

Senator Huffman moved that SB 545 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 Schwertner submitted a motion in writing requesting to be shown voting aye on SB 545.

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

As a matter of pending business, the chair laid out SB 686.

Senator Huffman moved that SB 686 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 Schwertner submitted a motion in writing requesting to be shown voting aye on SB 686.

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

As a matter of pending business, the chair laid out SB 965.

Senator Huffman moved that SB 965 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 Schwertner submitted a motion in writing requesting to be shown voting aye on SB 965.

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

As a matter of pending business, the chair laid out SB 990.

Senator Whitmire moved that SB 990 do not pass but that CSSB 990 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 Schwertner submitted a motion in writing requesting to be shown voting aye on CSSB 990.

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

As a matter of pending business, the chair laid out SB 1114.

Senator Hinojosa moved that SB 1114 do not pass but that CSSB 1114 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 Schwertner submitted a motion in writing requesting to be shown voting aye on SB 1114.

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

As a matter of pending business, the chair laid out SB 1096.

Senator Hinojosa moved that SB 1096 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 0 nays, 0 present not voting, and 2 absent.

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

As a matter of pending business, the chair laid out SB 1289.

Senator Huffman moved that SB 1289 do not pass but that CSSB 1289 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 Huffman moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

As a matter of pending business, the chair laid out SB 1611.

Senator Rodríguez moved that SB 1611 do not pass but that CSSB 1611 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 1 nay, 0 present not voting, and 1 absent.

There being no further business, at 5:23 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

Kathryn Hendrix , Clerk