

MINUTES

SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, April 9, 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, April 9, 2013, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Senator Dan Patrick

The chair called the meeting to order at 2:40 PM. The following business was transacted:

The chair laid out SB 834 and recognized the author, Senator Estes, 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 834 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out SB 1356 and recognized the author, Senator Van de Putte, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator Van de Putte 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 Rodríguez moved that SB 1356 do not pass but that CSSB 1356 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 0 nays, 0 present not voting, and 3 absent.

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

The chair laid out SB 1292 and recognized the author, Senator Ellis, to explain the bill.

Senator Rodríguez sent up a committee substitute; the chair recognized Senator Ellis to explain the difference between the committee substitute and the senate bill as filed. Senator Rodríguez 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 Rodríguez moved that SB 1292 do not pass but that CSSB 1292 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 0 nays, 0 present not voting, and 3 absent.

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

At 3:14 PM Senator Huffman assumed the chair.

The chair laid out SB 1316 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 1316 be left pending; without objection, it was so ordered.

At 3:34 PM Senator Whitmire assumed the chair.

The chair laid out SB 357 and recognized the author, Senator Hinojosa, to explain the bill.

Senator Rodríguez 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 Rodríguez 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.

Senator Whitmire moved that SB 357 be left pending; without objection, it was so ordered.

As a matter of pending business, the chair laid out SB 1316.

Senator Whitmire moved that SB 1316 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 1 nay, 0 present not voting, and 2 absent. Senator Schwertner asked unanimous consent to bestow voting nay on SB 1316. There being no objection, it was so ordered.

As a matter of pending business, the chair laid out SB 481.

Senator Hinojosa moved that SB 481 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 2 nays, 0 present not voting, and 1 absent. Senators Huffman and Schwertner asked unanimous consent to bestow voting nay on SB 481. There being no objection, it was so ordered.

As a matter of pending business, the chair laid out SB 357.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Whitmire moved that SB 357 be left pending; without objection, it was so ordered.

The chair laid out SB 991 and recognized Senator Hinojosa, in the absence of the author, 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 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 991 be left pending; without objection, it was so ordered.

At 3:46 PM Senator Hinojosa assumed the chair.

The chair laid out SB 1839 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 that the committee substitute be left pending; 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 1839 be left pending; without objection, it was so ordered.

At 4:05 PM Senator Whitmire assumed the chair.

The chair laid out SB 892 and recognized Senator Huffman, 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 892 be left pending; without objection, it was so ordered.

The chair laid out SB 893 and recognized Senator Huffman, in the absence of the author, to explain the bill.

Senator Huffman sent up a committee substitute; the chair recognized Senator Huffman to explain the difference between the committee substitute and the senate bill as filed. Senator Huffman 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 893 be left pending; without objection, it was so ordered.

The chair laid out SB 1522 and recognized the author, Senator Hegar, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator Hegar 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 1522 be left pending; without objection, it was so ordered.

The chair laid out SB 1052 and recognized Senator Huffman, in the absence of the author, to explain the bill.

Senator Huffman sent up a committee substitute; the chair recognized Senator Huffman to explain the difference between the committee substitute and the senate bill as filed. Senator Huffman 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 1052 be left pending; without objection, it was so ordered.

As a matter of pending business, the chair laid out SB 876 and recognized Senator Schwertner, in the absence of the author, to explain the bill.

Senator Schwertner sent up a committee substitute; the chair recognized Senator Schwertner 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 Schwertner moved that SB 876 do not pass but that CSSB 876 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Schwertner 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 1839.

Senator Hinojosa moved that SB 1839 do not pass but that CSSB 1839 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. Senator Rodríguez submitted a motion in writing requesting to be shown voting aye on CSSB 1839.

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 357.

Senator Hinojosa moved that SB 357 do not pass but that CSSB 357 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. Senator Rodríguez submitted a motion in writing requesting to be shown voting aye on CSSB 357.

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 834.

Senator Huffman moved that SB 834 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 1 nay, 0 present not voting, and 2 absent. Senator Rodríguez submitted a motion in writing requesting to be shown voting nay on SB 834.

As a matter of pending business, the chair laid out SB 892.

Senator Huffman moved that SB 892 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 Rodríguez submitted a motion in writing requesting to be shown voting aye on SB 892.

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 893.

Senator Huffman moved that SB 893 do not pass but that CSSB 893 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. Senator Rodríguez submitted a motion in writing requesting to be shown voting aye on CSSB 893.

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 991.

Senator Hinojosa moved that SB 991 do not pass but that CSSB 991 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. Senator Rodríguez submitted a motion in writing requesting to be shown voting aye on CSSB 991.

As a matter of pending business, the chair laid out SB 1052.

Senator Huffman moved that SB 1052 do not pass but that CSSB 1052 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. Senator Rodríguez submitted a motion in writing requesting to be shown voting aye on CSSB 1052.

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 1234.

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 moved that SB 1234 do not pass but that CSSB 1234 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 0 nays, 0 present not voting, and 3 absent.

Senator Whitmire 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 4:58 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

Kathryn Hendrix , Clerk