

## MINUTES

### SENATE COMMITTEE ON CRIMINAL JUSTICE

Friday, May 22, 2015

2:00 PM or upon recess

Capitol Extension, Room E1.016

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Pursuant to suspension of Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Criminal Justice was held on Friday, May 22, 2015, in the Capitol Extension, Room E1.016, at Austin, Texas.

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#### **MEMBERS PRESENT:**

Senator John Whitmire, Chair

Senator Konni Burton

Senator Brandon Creighton

Senator Juan Hinojosa

Senator José Menéndez

Senator Charles Perry

#### **MEMBERS ABSENT:**

Senator Joan Huffman, Vice Chair

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The chair called the meeting to order at 3:44 PM. The following business was transacted:

The following members arrived after the roll was called:

Senator Juan Hinojosa

At 3:44 PM Senator Perry assumed the chair.

The chair laid out HB 2684 and recognized the Senate sponsor, 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 HB 2684 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Menéndez moved that HB 2684 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.

The chair laid out HB 2372 and recognized the Senate sponsor, 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 HB 2372 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Hinojosa moved that HB 2372 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 Menéndez moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3884 and recognized the Senate sponsor, 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 HB 3884 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Hinojosa moved that HB 3884 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 Hinojosa moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 3:48 PM Senator Whitmire resumed the chair.

The chair laid out HB 1782 and recognized the Senate sponsor, Senator Taylor, 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 1782 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 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 452 and recognized the Senate sponsor, Senator Uresti, to explain the bill.

Senator Whitmire sent up a committee substitute; the chair recognized Senator Uresti 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 Menéndez moved that HB 452 do not pass but that CSHB 452 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.

The chair laid out HB 603 and recognized the Senate sponsor, Senator Garcia, to explain the bill.

Senator Whitmire sent up a committee substitute; the chair recognized Senator Garcia 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 Hinojosa moved that HB 603 do not pass but that CSHB 603 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 3579 and recognized the Senate sponsor, Senator Rodríguez, to explain the bill.

Senator Whitmire sent up a committee substitute; the chair recognized Senator Rodríguez 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 Hinojosa moved that HB 3579 do not pass but that CSHB 3579 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 Hinojosa moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2291 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 Perry moved that HB 2291 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 1783 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 Menéndez moved that HB 1783 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 Menéndez moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 3184 and recognized the Senate sponsor, Senator Menéndez, to explain the bill.

Senator Menéndez sent up Committee Amendment 1. Senator Whitmire moved adoption; without objection, the amendment was adopted. Senator Whitmire requested unanimous consent to incorporate the amendment into a committee substitute; without objection, it was so ordered. Senator Whitmire then moved that the committee substitute be adopted; 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 Menéndez moved that HB 3184 do not pass but that CSHB 3184 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.

The chair laid out HB 3212 and recognized the Senate sponsor, Senator Menéndez, to explain the bill.

Senator Whitmire sent up a committee substitute; the chair recognized Senator Menéndez 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 Menéndez moved that HB 3212 do not pass but that CSHB 3212 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 Menéndez moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 580 and recognized Senator Perry, in the absence of the Senate sponsor, 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 Perry moved that HB 580 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 583 and recognized the Senate sponsor, Senator Menéndez, to explain the bill.

Senator Menéndez sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted. Senator Hinojosa requested unanimous consent to incorporate the amendments into the bill to create a committee substitute; without objection, it was so ordered. Senator Whitmire then moved that the committee substitute be adopted; without objection, it was so ordered.

**Senate Committee on Criminal Justice**

Minutes

Friday, May 22, 2015

Page 7

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 Menéndez moved that HB 583 do not pass but that CSHB 583 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 Menéndez 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 4:24 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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Jessie Cox, Clerk