

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, March 14, 2017

8:00 AM

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 Business & Commerce was held on Tuesday, March 14, 2017, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator Kelly Hancock, Chair
Senator Brandon Creighton, Vice Chair
Senator Donna Campbell
Senator Craig Estes
Senator Robert Nichols
Senator Charles Schwertner
Senator Larry Taylor
Senator John Whitmire
Senator Judith Zaffirini

MEMBERS ABSENT:

None

The chair called the meeting to order at 8:02 AM. There being a quorum present, the following business was transacted:

Senator Campbell moved that testimony would be limited to 3 minutes; without objection, it was so ordered. Chairman Hancock moved that witnesses who have registered a position on a bill but who do not wish to testify, will be entered into the record. Without objection, it was so ordered.

The chair laid out as a matter of pending business SB 20 and recognized the author, Senator Larry Taylor. Senator Larry Taylor moved adoption of the committee substitute; without objection, it was so ordered. Senator Taylor moved that SB 20 do not pass but that CSSB 20 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 1 nay, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business SB 23 and recognized Senator Larry Taylor, in the absence of the author. Senator Larry Taylor moved adoption of the committee substitute; without objection, it was so ordered. Senator Taylor moved that SB 23 do not pass but that CSSB 23 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 1 nay, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business SB 79 and recognized Senator Larry Taylor, in the absence of the author. Senator Larry Taylor moved that SB 79 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Larry Taylor 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 SB 80 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 80 do not pass but that CSSB 80 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Creighton 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 SB 115 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 115 do not pass but that CSSB 115 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 347 and recognized the author, Senator Watson, to explain the bill. Senator Creighton moved to withdraw the committee substitute sent up at a previous hearing. Without objection, it was so ordered. Senator Creighton sent up a new committee substitute. The chair recognized Senator Watson to explain the difference between the committee substitute and the senate bill as filed. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 347 do not pass but that CSSB 347 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not

voting, and 0 absent. Senator Creighton 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 SB 407 and recognized the author, Senator Watson, to explain the bill. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 407 do not pass but that CSSB 407 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 408 and recognized the author, Senator Watson, to explain the bill. Senator Creighton moved to withdraw the committee substitute sent up at a previous hearing. Without objection, it was so ordered. Senator Creighton sent up a new committee substitute. The chair recognized Senator Watson to explain the difference between the committee substitute and the senate bill as filed. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 408 do not pass but that CSSB 408 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 377 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved that SB 377 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Creighton 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 SB 404 and recognized Senator Creighton, in the absence of the author, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Creighton to explain the difference between the committee substitute and the senate bill as filed. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 404 do not pass but that CSSB 404 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Creighton 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 SB 510 and recognized the author, Senator Zaffirini, to explain the bill. Senator Zaffirini sent up a committee substitute. The chair

recognized Senator Zaffirini to explain the difference between the committee substitute and the senate bill as filed. Senator Zaffirini moved adoption of the committee substitute; without objection, it was so ordered. Senator Zaffirini moved that SB 510 do not pass but that CSSB 510 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Zaffirini 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 SB 947 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that SB 947 do not pass but that CSSB 947 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 29 and recognized the author, Senator Creighton. Senator Creighton moved that SB 29 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent.

Senator Creighton assumed the chair.

The chair laid out as a matter of pending business SB 507 and recognized the author, Senator Hancock. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SB 507 do not pass but that CSSB 507 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 559 and recognized the author, Senator Hancock. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SB 559 do not pass but that CSSB 559 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Hancock 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 SB 679 and recognized the author, Senator Hancock. Senator Hancock moved that SB 679 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0

nays, 0 present not voting, and 0 absent. Senator Hancock 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 SB 680 and recognized the author, Senator Hancock. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SB 680 do not pass but that CSSB 680 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Hancock resumed the chair.

The chair laid out SB 78 and recognized Senator Larry Taylor, in the absence of the author, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Larry Taylor to explain the difference between the committee substitute and the senate 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. Senator Hancock moved committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 252 and recognized the author, Senator Van Taylor, 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 Hancock moved that SB 252 be left pending; without objection, it was so ordered.

The chair laid out SB 253 and recognized the author, Senator Van 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 Hancock moved that SB 253 be left pending; without objection, it was so ordered.

The chair laid out SB 103 and recognized the author, Senator Hall, 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 Hancock moved that SB 103 be left pending; without objection, it was so ordered.

The chair laid out SB 176 and SB 361 together and recognized the authors, Senator Schwertner and Senator Nichols to explain their bills. Senator Schwertner sent up a committee substitute to SB 176. The chair recognized Senator Schwertner to explain the difference between the committee substitute and the senate bill as filed. Witnesses testifying and registering on the bills are shown on the attached list. The chair moved that the public testimony be closed on SB 176

and SB 361; without objection, it was so ordered. Senator Hancock moved committee substitute SB 176 be left pending; without objection, it was so ordered. Senator Hancock moved that SB 361 be left pending; without objection, it was so ordered.

The chair laid out SB 113 and recognized the author, Senator Huffines, 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 Hancock moved that SB 113 be left pending; without objection, it was so ordered.

Senator Creighton assumed the chair.

The chair laid out SB 452 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 Creighton moved that SB 452 be left pending; without objection, it was so ordered.

The chair laid out SB 1002 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 Creighton moved that SB 1002 be left pending; without objection, it was so ordered.

The chair laid out SB 451 and recognized the author, Senator Hancock, to explain the bill. Senator Creighton moved that SB 451 be left pending; without objection, it was so ordered.

Senator Creighton announced that the hearing would meet in the Betty King room upon adjournment of the Senate.

At 11:43 AM Senator Creighton moved that the Committee stand recessed until 30 minutes after adjournment of the Senate. Without objection, it was so ordered.

At 6:07 PM Senator Campbell reconvened the meeting.

The chair laid out as a matter of pending business SB 451 and recognized the author, Senator Hancock. Witnesses testifying and registering on the bill are shown on the attached list.

Senator Campbell moved that testimony be limited to 2 minutes; without objection, it was so ordered.

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The chair moved that the public testimony be closed; without objection, it was so ordered.
Senator Campbell moved that SB 451 be left pending; without objection, it was so ordered.

Senator Hancock resumed the chair.

Motions in Writing requesting unanimous consent to be shown voting aye were submitted by the following: Senator Zaffirini 79, CSSB 80, CSSB 115, CSSB 347 and CSSB 407; Senator Creighton on CSSB 20, CSSB 23, and SB 79; Senator Schwertner on CSSB 20, SB 79, CSSB 115, CSSB 407, SB 377, CSSB 510, CSSB 947, SB 29, CSSB 507, SB 679, CSSB 680, CSSB 559, CSSB 23, CSSB 80, CSSB 347, CSSB 408, and CSSB 404. These votes are reflected in the final votes on the aforementioned bills.

There being no further business, at 7:26 PM Senator Hancock moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Kelly Hancock, Chair

Tatum Reagan, Clerk