

## MINUTES

### SENATE COMMITTEE ON BUSINESS & COMMERCE

Thursday, April 6, 2017

8:00 AM

Capitol Extension, Room E1.016

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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 6, 2017, in the Capitol Extension, Room E1.016, at Austin, Texas.

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#### **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

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The chair called the meeting to order at 8:04 AM. The following business was transacted:

Senator Schwertner moved that testimony would be limited to 3 minutes; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 586 and recognized the author, Senator Perry, to explain the bill. Senator Campbell sent up a new committee substitute. The chair recognized Senator Perry to explain the difference between the committee substitute and the senate bill as filed.

At 8:07 AM the roll was called. A quorum was present.

Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell moved that SB 586 do not pass but that CSSB 586 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, 0 nays, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business SB 253 and recognized Senator Campbell, in the absence of the author. Senator Campbell sent up a committee substitute. Senator Hancock explained the difference between the committee substitute and the senate bill as filed. Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell moved that SB 253 do not pass but that CSSB 253 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 714 and recognized Senator Campbell, in the absence of the author. Senator Campbell moved that SB 714 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 Campbell 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 838 and recognized the author, Senator Zaffirini. Senator Zaffirini moved adoption of the committee substitute; without objection, it was so ordered. Senator Zaffirini moved that SB 838 do not pass but that CSSB 838 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 860 and recognized the author, Senator Zaffirini. Senator Zaffirini moved adoption of the committee substitute; without objection, it was so ordered. Senator Zaffirini moved that SB 860 do not pass but that CSSB 860 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 nay, 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 1052 and recognized Senator Campbell, in the absence of the author. Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell 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 9 ayes, 0 nay, 0 present not voting, and 0 absent. Senator Campbell 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 1381 and recognized Senator Campbell, in the absence of the author. Senator Campbell moved that SB 1381 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 Campbell 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 1400 and recognized the author, Senator Campbell. Senator Campbell moved that SB 1400 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 Campbell 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 1401 and recognized the author, Senator Campbell. Senator Campbell sent up a committee substitute. The chair recognized Senator Campbell to explain the difference between the committee substitute and the senate bill as filed. Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell moved that SB 1401 do not pass but that CSSB 1401 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 Campbell 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 1402 and recognized the author, Senator Campbell. Senator Campbell moved that SB 1402 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 0 nays, 0 present not voting, and 1 absent. Senator Campbell 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 1403 and recognized the author, Senator Campbell. Senator Campbell moved adoption of the committee substitute; without objection, it was so ordered. Senator Campbell moved that SB 1403 do not pass but that CSSB 1403 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 Campbell 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 1406 and recognized Senator Campbell, in the absence of the author. Senator Campbell moved that SB 1406 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 Campbell 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 1492 and recognized the author, Senator Zaffirini. Senator Zaffirini moved that SB 1492 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 Zaffirini moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Campbell assumed the chair.

The chair laid out as a matter of pending business SB 560 and recognized the author, Senator Hancock. Senator Hancock moved that SB 560 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 563 and recognized the author, Senator Hancock. Senator Hancock moved that SB 563 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.

The chair laid out as a matter of pending business SB 735 and recognized the author, Senator Hancock. Senator Hancock moved to withdraw the committee substitute sent up at a previous hearing. Without objection, it was so ordered. Senator Hancock sent up a new committee substitute. The chair recognized Senator Hancock to explain the difference between the

committee substitute and the senate bill as filed. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SB 735 do not pass but that CSSB 735 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 1072 and recognized the author, Senator Hancock. Senator Hancock moved that SB 1072 be reported favorably 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 1073 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 1073 do not pass but that CSSB 1073 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 1517 and recognized the author, Senator Hancock. Senator Hancock moved that SB 1517 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 1518 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 1518 do not pass but that CSSB 1518 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 nay, 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 2212 and recognized the author, Senator Hancock. Senator Hancock 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 Campbell moved that SB 2212 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SJR 60 and recognized the author, Senator Hancock. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SJR 60 do not pass but that CSSJR 60 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 nay, 0 present not voting, and 0 absent.

Senator Hancock resumed the chair.

The chair laid out SB 1228 and recognized the author, 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 Hancock moved that SB 1228 be left pending; without objection, it was so ordered.

The chair laid out SB 1087 and recognized the author, Senator Schwertner, 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 1087 be left pending; without objection, it was so ordered.

The chair laid out SB 1088 and recognized the author, Senator Schwertner, 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 1088 be left pending; without objection, it was so ordered.

The chair laid out SB 1493 and recognized the author, Senator Zaffirini, 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 1493 be left pending; without objection, it was so ordered.

The chair laid out SB 1494 and recognized the author, Senator Zaffirini, 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 1494 be left pending; without objection, it was so ordered.

The chair laid out SB 1495 and recognized the author, Senator Zaffirini, 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 1495 be left pending; without objection, it was so ordered.

The chair laid out SB 1496 and recognized the author, Senator Zaffirini, 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 1496 be left pending; without objection, it was so ordered.

The chair laid out SB 1497 and recognized the author, Senator Zaffirini, 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 1497 be left pending; without objection, it was so ordered.

The chair laid out SB 1498 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. 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 committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 1499 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. 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 committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 1500 and recognized the author, Senator Zaffirini, 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 1500 be left pending; without objection, it was so ordered.

The chair laid out SB 1501 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. 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 1502 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. 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 committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 1503 and recognized the author, Senator Zaffirini, 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 1503 be left pending; without objection, it was so ordered.

The chair laid out SB 350 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 350 be left pending; without objection, it was so ordered.

The chair laid out SB 1895 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. 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.

Senator Creighton assumed the chair.

The chair laid out SB 1537 and recognized Senator Hancock, 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 Creighton moved that SB 1537 be left pending; without objection, it was so ordered.

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



The chair laid out SB 877 and recognized Senator Hancock, 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 Creighton moved that SB 877 be left pending; without objection, it was so ordered.

The chair laid out SB 1516 and recognized 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 1516 be left pending; without objection, it was so ordered.

The chair laid out SB 2065 and recognized the author, Senator Hancock, to explain the bill. Senator Hancock sent up a committee substitute. The chair recognized Senator Hancock to explain the difference between the committee substitute and the senate bill as filed. 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 Creighton moved committee substitute be left pending; without objection, it was so ordered.

Senator Hancock resumed the chair.

The chair laid out SB 210 and recognized the author, Senator Kolkhorst, 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 210 be left pending; without objection, it was so ordered.

The chair laid out SB 1199 and recognized the author, Senator Campbell, 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 1199 be left pending; without objection, it was so ordered.

Motions in Writing requesting unanimous consent to be shown voting aye was submitted by the following: Senator Creighton on CSSB 253, SB 560, SB 563, CSSB 586, SB 714, CSSB 735, CSSB 838, CSSB 860, CSSB 1052, SB 1072, CSSB 1073, SB 1381, SB 1400, SB 1402, CSSB 1401, CSSB 1403, SB 1406, SB 1492, SB 1517, CSSB 1518, and CSSJR 60; Senator Estes on CSSB 253, SB 714, CSSB 860, CSSB 1052, SB 1381, SB 1400, CSSB 1401, SB 1402, CSSB 1403, SB 1406, SB 1492, SB 560, SB 563, CSSB 735, SB 1072, CSSB 1073, SB 1517, CSSB 1518, and CSSJR 60; Senator Nichols on CSSB 586, CSSB 253, SB 714, CSSB 838, CSSB 860, CSSB 1052, SB 1381, SB 1400, CSSB 1401, CSSB 1403, SB 1406, and SB 1492; Senator Whitmire on CSSB 586, CSSB 253, SB 714, CSSB 838, CSSB 860, CSSB 1052, SB 1381, SB 1400, CSSB 1401, SB 1402, CSSB 1403, SB 1406, SB 1492, SB 560, SB 563, CSSB 735, SB 1072, CSSB 1073, SB 1517, and CSSB 1518.

These votes are reflected in the final votes on the aforementioned bills.

A Motion in Writing requesting unanimous consent to be shown voting nay was submitted by the following: Senator Estes on CSSB 838. This votes is reflected in the final vote on the aforementioned bill.

There being no further business, at 9:52 AM Senator Hancock moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Kelly Hancock, Chair

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Tatum Reagan, Clerk

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