

**MINUTES**

**SENATE COMMITTEE ON BUSINESS & COMMERCE**

Tuesday, April 25, 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 Tuesday, April 25, 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 8:02 AM. There being a quorum present, the following business was transacted:

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

The chair laid out SB 2005 and recognized the author, Senator Watson, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Watson 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 654 and recognized the author, Senator Seliger, 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 654 be left pending; without objection, it was so ordered.

The chair laid out SB 1023 and recognized the author, Senator Nelson, to explain the bill. Senator Campbell sent up Committee Amendment 1. Senator Nelson was recognized to explain the amendment. 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 1023 be left pending; without objection, it was so ordered.

The chair laid out SB 2178 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 2178 be left pending; without objection, it was so ordered.

The chair laid out SB 915 and recognized the author, Senator Hughes, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Hughes 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 1363 and recognized the author, Senator Uresti, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Uresti 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 1530 and recognized Senator Whitmire, in the absence of the author, 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. 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 1920 and recognized the author, Senator Kolkhorst, to explain the bill. Senator Schwertner sent up a committee substitute. The chair recognized Senator Kolkhorst 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 1835 and recognized Senator Nichols, 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 Hancock moved that SB 1835 be left pending; without objection, it was so ordered.

The chair laid out SB 1285 and recognized the author, Senator Creighton, 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.

Senator Nichols assumed the chair.

Senator Hancock resumed the chair.

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.

On Monday, April 24, Senator Hancock moved to suspend Senate Rules 11.10 and 11.18 so that HB 89 could be heard at the April 25 hearing of the Senate Committee on Business and Commerce. The chair laid out HB 89 and recognized the Senate sponsor, Senator Creighton, to explain the bill. There were no witnesses registered on the bill. The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Hancock moved that HB 89 be left pending; without objection, it was so ordered.

Senator Creighton assumed the chair.

The chair laid out SB 2211 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 Hancock moved that SB 2211 be left pending; without objection, it was so ordered.

Senator Hancock resumed the chair.

The chair laid out as a matter of pending business SB 83 and recognized the author, Senator Hall, 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 committee substitute. The chair recognized Senator Hall 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 83 do not pass but that CSSB 83 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 255 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 255 do not pass but that CSSB 255 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 938 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 938 do not pass but that CSSB 938 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 1263 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 1263 do not pass but that CSSB 1263 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 1289 and recognized the author, Senator Creighton. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton 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 9 ayes, 0 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 1440 and recognized the author, Senator Campbell. Senator Campbell moved that SB 1440 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 1572 and recognized Schwertner, in the absence of the author. Senator Schwertner moved adoption of the committee substitute; without objection, it was so ordered. Senator Schwertner moved that SB 1572 do not pass but that CSSB 1572 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, 3 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business HB 89 and recognized the Senate sponsor, Senator Creighton. Senator Creighton moved that HB 89 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 1520 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 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 1520 do not pass but that CSSB 1520 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. 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 2066 and recognized the author, Senator Hancock. Senator Hancock moved that SB 2066 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, 2 nays, 0 present not voting, and 2 absent.

Senator Hancock resumed the chair.

The chair laid out as a matter of pending business SB 1023 and recognized Senator Creighton, in the absence of the author. Senator Creighton moved adoption of Committee Amendment 1; without objection, it was so ordered. Senator Creighton requested unanimous consent to incorporate the amendment into a committee substitute; without objection, it was so ordered. Senator Creighton then moved that the committee substitute be adopted; without objection, it was so ordered. Senator Creighton moved that SB 1023 do not pass but that CSSB 1023 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. Senator Creighton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Creighton assumed the chair.

The chair laid out SB 2067 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 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 committee substitute be left pending; without objection, it was so ordered.

The chair laid out SB 2203 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 2203 be left pending; without objection, it was so ordered.

The chair laid out SB 2210 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 2210 be left pending; without objection, it was so ordered.

Senator Hancock resumed the chair.

A Motion in Writing requesting unanimous consent to be shown voting aye was submitted by the following: Senator Whitmire on CSSB 83, CSSB 255, CSSB 938, CSSB 1263, CSSB 1289, SB 1440, CSSB 1572, HB 89, CSSB 1520, and CSSB 1023. These votes are reflected in the final votes on the aforementioned bills.

There was no action taken for the following bill:

SB 453

There being no further business, at 10:51 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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