

**MINUTES**

**SENATE COMMITTEE ON BUSINESS & COMMERCE**

Tuesday, May 9, 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, May 9, 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 8:03 AM. The following business was transacted:

The chair laid out HB 3101 and recognized the Senate sponsor, Senator Birdwell, to explain the bill. Senator Campbell sent up a committee substitute. The chair recognized Senator Birdwell to explain the difference between the committee substitute and the house bill as engrossed.

At 8:06 AM the roll was called. A quorum was present.

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

The chair laid out as a matter of pending business HB 1586, and recognized the Senate sponsor, Senator Estes. Senator Estes moved that HB 1586 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 Estes 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 HB 3329 and recognized the Senate sponsor, Senator Campbell. Senator Campbell moved that HB 3329 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.

Senator Creighton assumed the chair.

The chair laid out as a matter of pending business SB 2210 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. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that SB 2210 do not pass but that CSSB 2210 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 HB 2964 and recognized the Senate sponsor, Senator Hancock. Senator Hancock moved that HB 2964 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 HB 3921 and recognized the Senate sponsor, Senator Hancock. Senator Hancock moved that HB 3921 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.

Senator Hancock resumed the chair.

The chair laid out SB 1916 and recognized the author, Senator Buckingham, to explain the bill. Senator Creighton sent up a committee substitute. The chair recognized Senator Buckingham 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 HB 2579 and recognized the Senate sponsor, Senator Buckingham, 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 HB 2579 be left pending; without objection, it was so ordered.

The chair laid out HB 2823 and recognized the Senate sponsor, Senator Buckingham, 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 HB 2823 be left pending; without objection, it was so ordered.

The chair laid out SB 1217 and SB 2083 together and recognized the authors, Senator Buckingham and Senator Seliger, to explain the bills. Senator Creighton sent up a committee substitute. The chair recognized Senator Seliger to explain the difference between the committee substitute on SB 2083 and the senate bill as filed. Witnesses testifying and registering on the bills are shown on the attached list.

Senator Nichols assumed the chair.

Senator Hancock assumed the chair.

The chair moved that the public testimony be closed; without objection, it was so ordered. Senator Hancock moved that SB 1217 and the committee substitute on SB 2083 be left pending; without objection, it was so ordered.

The chair laid out HB 1555 and recognized the Senate sponsor, Senator Seliger, 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 HB 1555 be left pending; without objection, it was so ordered.

The chair laid out HB 635 and recognized the Senate sponsor, Senator Watson, 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 HB 635 be left pending; without objection, it was so ordered.

The chair laid out HB 2098 and recognized the Senate sponsor, Senator Watson, to explain the bill. Senator Hancock sent up a committee substitute. The chair recognized Senator Watson to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 2097 and recognized the Senate sponsor, Senator Watson, 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 HB 2097 be left pending; without objection, it was so ordered.

The chair laid out HB 2060 and recognized the Senate sponsor, 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 HB 2060 be left pending; without objection, it was so ordered.

The chair laid out HB 2113 and recognized the Senate sponsor, 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 HB 2113 be left pending; without objection, it was so ordered.

The chair laid out HB 1954 and recognized the Senate sponsor, Senator Nichols, to explain the bill. Senator Nichols sent up a committee substitute. The chair recognized Senator Nichols to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 2027 and recognized the Senate sponsor, 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 HB 2027 be left pending; without objection, it was so ordered.

Senator Creighton assumed the chair.

The chair laid out HB 1468 and recognized the Senate sponsor, 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 house bill as engrossed. 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.

The chair laid out HB 1701 and recognized the Senate sponsor, 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 HB 1701 be left pending; without objection, it was so ordered.

The chair laid out HB 2061 and recognized the Senate sponsor, 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 HB 2061 be left pending; without objection, it was so ordered.

The chair laid out HB 2437 and recognized the Senate sponsor, 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 HB 2437 be left pending; without objection, it was so ordered.

Senator Hancock resumed the chair.

The chair laid out as a matter of pending business HB 635 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 635 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, 0 nays, 0 present not voting, and 2 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 HB 1555 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 1555 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, 0 nays, 0 present not voting, and 2 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 HB 2027 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 2027 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, 0 nays, 0 present not voting, and 2 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 HB 2060 and recognized the Senate sponsor, Senator Zaffirini. Senator Zaffirini moved that HB 2060 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, 0 nays, 0 present not voting, and 2 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 HB 2113 and recognized the Senate sponsor, Senator Zaffirini. Senator Zaffirini moved that HB 2113 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, 0 nays, 0 present not voting, and 2 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 HB 2579 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 2579 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, 0 nays, 0 present not voting, and 2 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 HB 2823 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved that HB 2823 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, 0 nays, 0 present not voting, and 2 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 HB 3101 and recognized Senator Creighton, in the absence of the Senate sponsor. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that HB 3101 do not pass but that CSHB 3101 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, 0 nays, 0 present not voting, and 2 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.

Senator Creighton assumed the chair.

The chair laid out as a matter of pending business HB 1468 and recognized Senator Hancock, the Senate sponsor. Senator Hancock moved adoption of the committee substitute; without objection, it was so ordered. Senator Hancock moved that HB 1468 do not pass but that CSHB 1468 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, 0 nays, 0 present not voting, and 2 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 HB 1701 and recognized Senator Hancock, the Senate sponsor. Senator Hancock moved that HB 1701 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, 0 nays, 0 present not voting, and 2 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 HB 2061 and recognized Senator Hancock, the Senate sponsor. Senator Hancock moved that HB 2061 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, 0 nays, 0 present not voting, and 2 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 HB 2437 and recognized Senator Hancock, the Senate sponsor. Senator Hancock moved that HB 2437 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, 0 nays, 0 present not voting, and 2 absent.

Senator Hancock resumed the chair.

The chair laid out as a matter of pending business SB 1405 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 1405 do not pass but that CSSB 1405 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, 0 nays, 0 present not voting, and 2 absent. Senator Creighton moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Motions in Writing requesting unanimous consent to be shown voting aye were submitted by the following: Senator Nichols on HB 1586, HB 3329, CSHB 2210, HB 2964, HB 3921; Senator Whitmire on HB 635, HB 1555, HB 2027, HB 2060, HB 2113, HB 2579, HB 2823, CSSB 3101, CSHB 1468, HB 1701, HB 2061, HB 2437 and CSHB 1405; Senator Zaffirini on SB 1586, HB 3329, CSSB 2210, HB 2964, and HB 3921. These votes are reflected in the final votes on the aforementioned bills.

The posting rule, Senate Rule 11.10 and 11.18, was suspended to hear the following bills:

HB 1468  
HB 1954  
HB 2027  
HB 2060  
HB 2061  
HB 2437

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Senator Kelly Hancock, Chair

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Tatum Reagan, Clerk



**Senate Committee on Business & Commerce**

Minutes

Tuesday, May 9, 2017

Page 9