

## MINUTES

### SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, April 11, 2017  
1:30 PM or upon adjournment  
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 Criminal Justice was held on Tuesday, April 11, 2017, in the Capitol Extension, Room E1.016, at Austin, Texas.

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**MEMBERS PRESENT:**

Senator John Whitmire, Chair  
Senator Joan Huffman, Vice Chair  
Senator Brian Birdwell  
Senator Konni Burton  
Senator Brandon Creighton  
Senator Sylvia Garcia  
Senator Bryan Hughes  
Senator José Menéndez  
Senator Charles Perry

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 2:49 PM. There being a quorum present, the following business was transacted:

The following members arrived after the roll was called:

Senator Joan Huffman  
Senator Brian Birdwell  
Senator Brandon Creighton  
Senator Bryan Hughes

The chair laid out SB 1326 and recognized the author, Senator Zaffirini, to explain the bill.

Senator Whitmire 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 Whitmire moved adoption of the committee substitute; without objection, it was so ordered.

Senator Whitmire sent up Committee Amendment 1 and 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 Perry moved that SB 1326 do not pass but that CSSB 1326 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 Huffman and Senator Hughes were absent.

The chair laid out SB 1913 and recognized the author, Senator Zaffirini, to explain the bill.

Senator Whitmire 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 Perry sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted.

Senator Perry requested unanimous consent to incorporate the amendments 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.

At 3:20 PM Senator Perry assumed the chair.

At 3:28 PM Senator Whitmire resumed the chair.

The chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Whitmire moved that SB 1913 be left pending; without objection, it was so ordered.

The chair laid out SB 1183 and recognized the author, Senator Perry, to explain the bill.

Senator Perry sent up a committee substitute. The chair recognized Senator Perry to explain the difference between the committee substitute and the senate bill as filed.

Senator Perry sent up Committee Amendment 1. Senator Perry requested unanimous consent to incorporate the amendment into a 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 Perry moved that SB 1183 do not pass but that CSSB 1183 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 Birdwell and Senator Hughes were absent.

The chair laid out SB 239 and recognized the author, Senator Campbell, to explain the bill.

Senator Perry 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 Huffman sent up Committee Amendment 1. Senator Huffman requested unanimous consent to incorporate the amendment into the bill to create a committee substitute; without objection, it was so ordered. Senator Perry 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 Burton moved that SB 239 do not pass but that CSSB 239 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 Birdwell and Senator Hughes were 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 SB 1487 and recognized the author, Senator West, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator West to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire moved adoption of the committee substitute; without objection, it was so ordered.

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 Garcia moved that SB 1487 do not pass but that CSSB 1487 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 Birdwell and Senator Hughes were 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 SB 1273 and recognized the author, Senator Rodríguez, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Rodriguez to explain the difference between the committee substitute and the senate bill as filed. 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 Whitmire moved that CSSB 1273 be left pending; without objection, it was so ordered.

The chair laid out SB 1504 and recognized the author, Senator Taylor, Van, 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 SB 1504 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 3 absent. Senator Birdwell, Senator Hughes, and Senator Perry were absent.

The chair laid out SB 1548 and recognized the author, Senator Menéndez, to explain the bill.

Senator Menéndez sent up a committee substitute. The chair recognized Senator Menéndez to explain the difference between the committee substitute and the senate bill as filed. 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 Whitmire moved that CSSB 1548 be left pending; without objection, it was so ordered.

The chair laid out SB 1584 and recognized the author, Senator Garcia, to explain the bill.

Senator Garcia sent up a committee substitute. The chair recognized Senator Garcia to explain the difference between the committee substitute and the senate bill as filed. 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 Whitmire moved that SB 1584 be left pending; without objection, it was so ordered.

The chair laid out SB 1298 and recognized the author, Senator Huffman, 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 Huffman moved that SB 1298 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 Birdwell and Senator Perry were absent.

Senator Huffman moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 2176 and recognized the author, Senator Hughes, to explain the bill.

Senator Hughes sent up a committee substitute. The chair recognized Senator Hughes to explain the difference between the committee substitute and the senate bill as filed. Senator Hughes moved adoption of the committee substitute; without objection, it was so ordered.

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 Garcia moved that SB 2176 do not pass but that CSSB 2176 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 Birdwell and Senator Perry were absent.

Senator Hughes moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 5:04 PM Senator Huffman assumed the chair.

The chair laid out SB 1977 and recognized the author, Senator Whitmire, 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 Whitmire moved that SB 1977 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 Birdwell and Senator Perry were absent.

Senator Whitmire moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

At 5:05 PM Senator Whitmire resumed the chair.

There being no further business, at 5:05 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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Terra Tucker, Clerk