

MINUTES

SENATE COMMITTEE ON CRIMINAL JUSTICE

Wednesday, April 17, 2019

8:30 AM

Betty King Committee Room

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 Wednesday, April 17, 2019, in the Betty King Committee Room at Austin, Texas.

MEMBERS PRESENT:

Senator John Whitmire, Chair
Senator Joan Huffman, Vice Chair
Senator Dawn Buckingham
Senator Peter Flores
Senator Borris Miles
Senator Charles Perry

MEMBERS ABSENT:

Senator Bryan Hughes

The chair called the meeting to order at 8:23 AM. The following business was transacted:

The chair laid out SB 1164 and recognized the author, Senator Rodríguez, 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 Whitmire moved that SB 1164 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry moved that SB 1164 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 1 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 1268 and recognized the author, 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 Whitmire moved that SB 1268 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry moved that SB 1268 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 1 absent.

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

At 8:30 AM Senator Perry assumed the chair.

The chair laid out SB 1697 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 Perry moved that SB 1697 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Whitmire moved that SB 1697 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 1 absent.

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

The chair laid out SB 1700 and recognized the author, Senator Whitmire, to explain the bill.

The chair recognized Senator Whitmire to explain the difference between the committee substitute and the senate bill as filed. Senator Perry moved committee substitute be left pending to await a quorum; 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 Perry moved that SB 1700 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Huffman sent up the previously explained committee substitute and moved adoption of the committee substitute; without objection, it was so ordered. Senator Huffman moved that SB 1700 do not pass but that CSSB 1700 be reported back to the Senator 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 1 absent.

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

At 8:33 AM Senator Whitmire resumed the chair.

The chair laid out SB 1649 and recognized the author, Senator Kolkhorst, to explain the bill.

The chair recognized Senator Kolkhorst to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire moved committee substitute be left pending to await a quorum; 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 Whitmire moved that SB 1649 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Huffman sent up the previously explained committee substitute and moved adoption of the committee substitute; without objection, it was so ordered. Senator Huffman moved that SB 1649 do not pass but that CSSB 1649 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, 0 nays, 0 present not voting, and 1 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 693 and recognized the author, Senator West, 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 Whitmire moved that SB 693 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry moved that SB 693 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 1 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 562 and recognized the author, Senator Zaffirini, to explain the bill.

The chair recognized Senator Zaffirini to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire moved committee substitute be left pending to await a quorum; 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 562 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry sent up the previously described committee substitute and moved adoption of the committee substitute; without objection, it was so ordered. Senator Perry moved that SB 562 do not pass but that CSSB 562 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, 0 nays, 0 present not voting, and 1 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 405 and recognized the author, Senator Birdwell, 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 405 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry moved that SB 405 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 1 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 583 and recognized the author, Senator Hinojosa, 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 Whitmire moved that SB 583 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry moved that SB 583 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, 1 nay, 0 present not voting, and 1 absent.

The chair laid out SB 2271 and recognized the author, Senator Miles, 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 2271 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Huffman moved that SB 2271 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 1 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 340 and recognized the author, Senator Huffman, to explain the bill.

The chair recognized Senator Huffman to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire moved committee substitute be left pending to await a quorum; 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 Whitmire moved that SB 340 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Perry sent up the previously described committee substitute and moved that SB 340 do not pass but that CSSB 340 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, 0 nays, 0 present not voting, and 1 absent.

Senator Buckingham 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 691.

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

Senator Perry moved that SB 691 do not pass but that CSSB 691 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 1 nay, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business SCR 10.

Senator Whitmire moved that SCR 10 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, 1 nay, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business SB 1025.

Senator Flores moved that SB 1025 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 1 absent.

Senator Flores 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 1125.

Senator Perry moved that SB 1125 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, 1 nay, 0 present not voting, and 1 absent.

At 10:13 AM Senator Huffman assumed the chair.

The chair laid out as a matter of pending business SB 1698.

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

Senator Whitmire moved that SB 1698 do not pass but that CSSB 1698 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, 0 nays, 0 present not voting, and 1 absent.

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

At 10:14 AM Senator Whitmire resumed the chair.

The chair laid out as a matter of pending business SB 1754.

Senator Perry moved that SB 1754 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 1 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 as a matter of pending business SB 1879.

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

Senator Perry moved that SB 1879 do not pass but that CSSB 1879 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, 0 nays, 0 present not voting, and 1 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 as a matter of pending business SB 2114 and recognized Senator Miles to explain the bill in Senator West's absence.

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

Senator Perry moved that SB 2114 do not pass but that CSSB 2114 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, 0 nays, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business SB 2381.

Senator Perry moved that SB 2381 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 2 nays, 0 present not voting, and 1 absent.

The chair laid out as a matter of pending business HB 374 and recognized the Senate sponsor, Senator Miles, to explain the bill.

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

Senator Huffman moved that HB 374 do not pass but that CSHB 374 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, 0 nays, 0 present not voting, and 1 absent.

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

There being no further business, at 10:19 AM Senator Whitmire moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator John Whitmire, Chair

Amanda Salazar, Clerk