

MINUTES

SENATE COMMITTEE ON CRIMINAL JUSTICE

Wednesday, May 8, 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, May 8, 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 Bryan Hughes
Senator Borris Miles
Senator Charles Perry

MEMBERS ABSENT:

None

The chair called the meeting to order at 8:30 AM in the Betty King Room. There being a quorum present, the following business was transacted, and pursuant to a motion made by Senator Whitmire to suspend Senate Rules 11.10 and 11.18, the Chairman reconvened the Senate Committee on Criminal Justice at 2:05 PM in E1.016 to consider business left pending.

The chair laid out HB 2502 and recognized the Senate sponsor, Senator Watson, 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 Huffman moved that HB 2502 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, 0 nays, 0 present not voting, and 2 absent. Senators Hughes and Miles 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 HB 3106 and recognized the Senate sponsor, Senator Huffman, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Huffman to explain the difference between the committee substitute and the house bill as engrossed. 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 Huffman moved that HB 3106 do not pass but that CSHB 3106 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, 0 nays, 0 present not voting, and 2 absent. Senators Hughes and Miles were absent.

The chair laid out SB 804 and recognized the author, Senator Rodríguez, 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 804 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that SB 804 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and Hughes were absent.

The chair laid out HB 1528 and recognized the Senate sponsor, 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 HB 1528 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 1528 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 156 and recognized the Senate sponsor, 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 HB 156 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 156 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 3582 and recognized the Senate sponsor, Senator Menéndez, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Menéndez to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 3582 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 3582 do not pass but that CSHB 3582

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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and Hughes were absent.

The chair laid out HB 1279 and recognized the Senate sponsor, Senator Menéndez, 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 HB 1279 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 1279 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, 0 nays, 0 present not voting, and 2 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 HB 381 and recognized the Senate sponsor, Senator Paxton, 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 HB 381 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 381 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 601 and recognized the Senate sponsor, 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 house bill as engrossed. 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 HB 601 be left pending; without objection, it was so ordered.

The chair laid out HB 2624 and recognized the Senate sponsor, 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 Whitmire moved that HB 2624 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 2624 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 8 and recognized Senator Huffman, in the absence of the Senate sponsor, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Huffman to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 8 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 8 do not pass but that CSHB 8 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 1651 and recognized the Senate sponsor, Senator Alvarado, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Alvarado to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 1651 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Whitmire moved that HB 1651 do not pass but that CSHB 1651 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 1139 and recognized the Senate sponsor, Senator Miles, 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 HB 1139 be left pending; without objection, it was so ordered.

The chair laid out HB 869 and recognized the Senate sponsor, Senator Hughes, 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 HB 869 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 869 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 427 and recognized the Senate sponsor, Senator Hughes, 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 HB 427 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 427 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 446 and recognized the Senate sponsor, Senator Perry, 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 HB 446 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Whitmire moved that HB 446 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and Hughes were 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 HB 979 and recognized the Senate sponsor, Senator Perry, 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 HB 979 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Whitmire moved that HB 979 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 2758 and recognized the Senate sponsor, Senator Huffman, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Huffman to explain the difference between the committee substitute and the house bill as engrossed. 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 Whitmire moved that HB 2758 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 2758 do not pass but that CSHB 2758 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and Hughes were absent. Senators Flores and Hughes were absent.

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

At 10:47 AM Senator Huffman assumed the chair.

The chair laid out HB 2623 and recognized the Senate sponsor, 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 HB 2623 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 2623 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, 0 nays, 0 present not voting, and 2 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 HB 2169 and recognized the Senate sponsor, Senator Whitmire, 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 house bill as engrossed. 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 Whitmire moved that HB 2169 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 2169 do not pass but that CSHB 2169 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 1374 and recognized the Senate sponsor, 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 HB 1374 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 1374 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and 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 HB 3195 and recognized the Senate sponsor, 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 HB 3195 be left pending; without objection, it was so ordered. Upon convening in E1. 016, Senator Perry moved that HB 3195 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and Hughes were absent.

At 10:54 AM Senator Whitmire resumed the chair.

Pursuant to a motion made by Senator Whitmire to suspend Senate Rules 11.10 and 11.18, the Chairman reconvened the Senate Committee on Criminal Justice at 2:05 PM in E1.016 to consider business left pending mentioned above, as well as the following business:

The chair laid out as a matter of pending business HB 812.

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

Senator Perry moved that HB 812 do not pass but that CSHB 812 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, 0 nays, 0 present not voting, and 2 absent. Senators Flores and Hughes were absent.

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

There being no further business, at 2:45 PM 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