

MINUTES

SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, May 4, 2021

8:30 AM

Capitol Extension, Room E1.016

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, May 4, 2021, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator John Whitmire, Chair
Senator Joan Huffman, Vice Chair
Senator Paul Bettencourt
Senator Brian Birdwell
Senator Juan Hinojosa
Senator Borris Miles

MEMBERS ABSENT:

Senator Robert Nichols

The chair called the meeting to order at 8:32 AM. There not being a quorum present, the following business was transacted:

The chair laid out HB 103 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill.

There being no testimony, the chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Whitmire moved that HB 103 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Birdwell moved that HB 103 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 HB 788 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill.

There being no testimony, the chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Whitmire moved that HB 788 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Birdwell moved that HB 788 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.

At 8:39 AM Senator Birdwell assumed the chair.

The chair laid out HB 1071 and recognized the Senate sponsor, Senator Whitmire, 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 house bill as engrossed. Senator Whitmire moved the 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 1071 be left pending to await a quorum; without objection, it was so ordered. Upon arrival of a quorum, Senator Whitmire moved that HB 1071 do not pass but that CSHB 1071 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.

The chair laid out HB 719 and recognized the Senate sponsor, Senator Whitmire, to explain the bill.

There being no testimony, the chair moved that the public testimony be closed; without objection, it was so ordered.

Witnesses testifying and registering on the bill are shown on the attached list.

At 8:48 AM roll call was taken and a quorum was established.

The following members arrived after the roll was called:

Senator Paul Bettencourt

Senator Whitmire moved that HB 719 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.

At 8:51 AM Senator Whitmire resumed the chair.

The chair laid out HB 402 and recognized the Senate sponsor, Senator Alvarado, 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 Miles moved that HB 402 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 Hinojosa moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 569 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 Miles moved that HB 569 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 Miles moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 315, in lieu of pending business SB 444, and recognized the Senate sponsor, Senator Hughes, to explain the bill.

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

There being no testimony, the chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Bettencourt moved that HB 315 do not pass but that CSHB 315 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 Bettencourt moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1486 and recognized the author, 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 Miles moved that SB 1486 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 Birdwell moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out SB 1388 and recognized Senator Bettencourt, in the absence of the author, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Bettencourt to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire moved the 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 Bettencourt moved that SB 1388 do not pass but that CSSB 1388 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 Bettencourt moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 454 and recognized Senator Bettencourt, in the absence of the Senate sponsor, 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 Bettencourt moved that HB 454 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 Bettencourt moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1419 and recognized the Senate sponsor, Senator Alvarado, 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 Miles moved that HB 1419 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 Miles moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 1049 and recognized the Senate sponsor, Senator Huffman, to explain the bill.

There being no testimony, the chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Bettencourt moved that HB 1049 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 HB 1401 and recognized the Senate sponsor, Senator Huffman, to explain the bill.

There being no testimony, the chair moved that the public testimony be closed; without objection, it was so ordered.

Senator Huffman moved that HB 1401 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.

Senate Committee on Criminal Justice

Minutes

Tuesday, May 4, 2021

Page 7

The chair laid out HB 54, in lieu of pending business SB 223, and recognized the Senate sponsor, Senator Whitmire, to explain the bill.

Senator Huffman moved that HB 54 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.

There being no further business, at 9:41 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

Giovanna DiNapoli, Clerk