

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, May 16, 2023

8:30 AM

Capitol Extension, Room E1.012

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 16, 2023, in the Capitol Extension, Room E1.012, at Austin, Texas.

MEMBERS PRESENT:

Senator Charles Schwertner, Chair
Senator Phil King, Vice Chair
Senator Brian Birdwell
Senator Donna Campbell
Senator Brandon Creighton
Senator Nathan Johnson
Senator José Menéndez
Senator Mayes Middleton
Senator Robert Nichols
Senator Judith Zaffirini

MEMBERS ABSENT:

Senator Lois Kolkhorst

Senator Robert Nichols, the acting chair, called the meeting to order at 8:30 AM.

The Chair laid out HB 3536 and recognized the Senate sponsor, Senator Paxton, to explain the bill. Individuals 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. The Chair moved that HB 3536 be left pending; without objection, it was so ordered.

The Chair laid out HB 4142 and recognized the Senate sponsor, Senator Birdwell, to explain the bill. No witnesses testified or registered on the bill. The Chair moved that the public testimony be closed; without objection, it was so ordered. The Chair moved that HB 4142 be left pending; without objection, it was so ordered.

Senator Birdwell assumed the chair.

The Chair laid out HB 1553 and recognized the Senate sponsor, Senator Nichols, to explain the bill. Individuals 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. The Chair moved that HB 1553 be left pending; without objection, it was so ordered.

Senator Nichols resumed the chair.

The Chair laid out HB 2188 and recognized the Senate sponsor, Senator Campbell, 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. The Chair moved that HB 2188 be left pending; without objection, it was so ordered.

The Chair laid out HB 2495, sponsored by Senator Johnson, and recognized Senator Menéndez to explain the bill. Individuals 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. The Chair moved that HB 2495 be left pending; without objection, it was so ordered.

The Chair laid out HB 4012 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Individuals 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. The Chair moved that HB 4012 be left pending; without objection, it was so ordered.

The Chair laid out HB 4084 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Senator Zaffirini sent up the committee substitute to HB 4084. The Chair recognized the author to explain the difference between the committee substitute and the bill as engrossed. Individuals 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. The Chair moved that CSHB 4084 be left pending; without objection, it was so ordered.

The Chair laid out HB 3730 and recognized the Senate sponsor, Senator Hughes, to explain the bill. Individuals 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. The Chair moved that HB 3730 be left pending; without objection, it was so ordered.

The Chair laid out HB 471 and recognized the Senate sponsor, Senator Schwertner, to explain

the bill. Senator Schwertner sent up the committee substitute to HB 471. The Chair recognized the author to explain the difference between the committee substitute and the bill as engrossed. Witnesses testifying and registering on the bill are shown on the attached list.

The Chair called the roll. There being 8 present, a quorum was established.

The Chair moved that the public testimony be closed; without objection, it was so ordered. The Chair moved that CSHB 471 be left pending; without objection, it was so ordered.

The Chair laid out HB 3615 and recognized the Senate sponsor, Senator Schwertner, 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. The Chair moved that HB 3615 be left pending; without objection, it was so ordered.

Senator Schwertner assumed the chair.

The Chair laid out HB 2366 and recognized the Senate sponsor, Senator LaMantia, to explain the bill. Individuals 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. The Chair moved that HB 2366 be left pending; without objection, it was so ordered.

The Chair laid out HB 3208 and recognized the Senate sponsor, Senator LaMantia, to explain the bill. Individuals 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. The Chair moved that HB 3208 be left pending; without objection, it was so ordered.

The Chair laid out HB 4246 and recognized the Senate sponsor, Senator LaMantia, 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. The Chair moved that HB 4246 be left pending; without objection, it was so ordered.

Senate Rule 11.10 and 11.18, and all other necessary rules were suspended to add HB 4123 to the Senate Committee on Business and Commerce posting for May 16, 2023.

The Chair laid out HB 4123 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Individuals 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. The Chair moved that HB 4123 be left pending; without objection, it was so ordered.

The Chair laid out HB 4316 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Individuals 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. The Chair moved that HB 4316 be left pending; without objection, it was so ordered.

The Chair laid out HB 4417 and recognized the Senate sponsor, Senator Zaffirini, to explain the bill. Individuals 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. The Chair moved that HB 4417 be left pending; without objection, it was so ordered.

The Chair laid out HB 3310 and recognized the Senate sponsor, Senator Middleton, to explain the bill. Individuals 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. The Chair moved that HB 3310 be left pending; without objection, it was so ordered.

The Chair laid out HB 3311 and recognized the Senate sponsor, Senator Middleton, to explain the bill. Individuals 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. The Chair moved that HB 3311 be left pending; without objection, it was so ordered.

The Chair laid out HB 3485 and recognized the Senate sponsor, Senator Johnson, 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. The Chair moved that HB 3485 be left pending; without objection, it was so ordered.

The Chair laid out HB 3743, sponsored by Senator Kolkhorst, and recognized Senator Menéndez to explain the bill. Individuals 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. The Chair moved that HB 3743 be left pending; without objection, it was so ordered.

The Chair laid out HB 4416, sponsored by Senator Kolkhorst, and recognized Senator Menéndez to explain the bill. Individuals 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. The Chair moved that HB 4416 be left pending; without objection, it was so ordered.

The Chair laid out HB 2314, sponsored by Senator Kolkhorst, and recognized Senator Menéndez 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. The Chair moved that HB 2314 be left pending; without objection, it was so ordered.

The Chair laid out HB 3730, sponsored by Senator Hughes, as a matter of pending business. Senator Nichols moved that HB 3730 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 3536, sponsored by Senator Paxton, as a matter of pending business. Senator Nichols moved that HB 3536 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 2366, sponsored by Senator LaMantia, as a matter of pending business. Senator Nichols moved that HB 2366 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 3208, sponsored by Senator LaMantia, as a matter of pending business. Senator Nichols moved that HB 3208 be reported favorably to the full Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 2 absent.

The Chair laid out HB 4246, sponsored by Senator LaMantia, as a matter of pending business. Senator Nichols moved that HB 4246 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 1553, sponsored by Senator Nichols, as a matter of pending business. Senator Nichols moved that HB 1553 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 2188, sponsored by Senator Campbell, as a matter of pending business. Senator Campbell moved that HB 2188 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 4142, sponsored by Senator Birdwell, as a matter of pending business. Senator Nichols moved that HB 4142 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 2495, sponsored by Senator Johnson, as a matter of pending business. Senator Johnson moved that HB 2495 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 3485, sponsored by Senator Johnson, as a matter of pending business. Senator Johnson moved that HB 3485 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 3310, sponsored by Senator Middleton, as a matter of pending business. Senator Middleton moved that HB 3310 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 3311, sponsored by Senator Middleton, as a matter of pending business. Senator Middleton moved that HB 3311 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 3743, sponsored by Senator Kolkhorst, as a matter of pending business. Senator Nichols moved that HB 3743 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 4416, sponsored by Senator Kolkhorst, as a matter of pending business. Senator King moved that HB 4416 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 2314, sponsored by Senator Kolkhorst, as a matter of pending business. Senator King moved that HB 2314 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 4012, sponsored by Senator Zaffirini, as a matter of pending business. Senator Zaffirini moved that HB 4012 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 4316, sponsored by Senator Zaffirini, as a matter of pending business. Senator Zaffirini moved that HB 4316 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 4417, sponsored by Senator Zaffirini, as a matter of pending business. Senator Zaffirini moved that HB 4417 be reported favorably to the full 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 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 1588, sponsored by Senator Middleton, as a matter of pending business. Senator Middleton sent up the committee substitute to HB 1588. The Chair recognized the Senate Sponsor to explain the difference between the committee substitute and the bill as engrossed. Senator Middleton moved adoption of the committee substitute; without objection, it

was so ordered. Senator Middleton moved that HB 1588 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. The Chair moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator King assumed the chair.

The Chair laid out CSHB 471, sponsored by Senator Schwertner, as a matter of pending business. Senator Nichols moved adoption of the committee substitute; without objection, it was so ordered. Senator Nichols moved that HB 471 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The Chair laid out HB 5066, sponsored by Senator Schwertner, as a matter of pending business. Senator Nichols sent up the committee substitute to HB 5066. The Chair recognized the Senate Sponsor to explain the difference between the committee substitute and the bill as engrossed. Senator Nichols moved adoption of the committee substitute; without objection, it was so ordered. Senator Nichols moved that HB 5066 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 2 absent. Senator Nichols moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Schwertner resumed the chair.

There being no further business, at 10:12 AM, the Chair moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Charles Schwertner, Chair

Annika Vandayar, Clerk

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