

**MINUTES**

**SENATE COMMITTEE ON BUSINESS & COMMERCE**

Sunday, May 21, 2023

2:30 PM

Capitol Extension, Room E1.012

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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 Business & Commerce was held on Sunday, May 21, 2023, in the Capitol Extension, Room E1.012, at Austin, Texas.

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**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

None

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The Chair called the meeting to order at 2:48 PM. There being a quorum present, the following business was transacted:

The following members arrived after the roll was called: Senator Creighton.

The Chair laid out HB 173, sponsored by Senator Johnson, as a matter of pending business. Senator Johnson moved that HB 173 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 8 ayes, 2 nays, 0 present not voting, and 1 absent.

The Chair laid out HB 2702, sponsored by Senator Menéndez, as a matter of pending business. Senator Menéndez moved that HB 2702 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, 1 nay, 0 present not voting, and 1 absent.

At 2:50 PM, the Chair moved that the Committee stand at ease.

At 2:59 PM, the Chair called the Committee back to order.

The Chair laid out HB 2266, sponsored by Senator Middleton, as a matter of pending business. The Chair moved to reconsider the vote for HB 2266, which failed to reach an affirmative vote at a prior meeting; without objection, it was so ordered. Senator Middleton moved that HB 2266 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 6 ayes, 4 nays, 1 present not voting, and 0 absent.

Senator King assumed the chair.

The Chair laid out CSHB 5, sponsored by Senator Schwertner, as a matter of pending business. Senator Schwertner moved to withdraw the previous committee substitute that was considered at the May 18, 2023 Hearing. Without objection, it was so ordered. Senator Schwertner sent up a new committee substitute to HB 5. The Chair recognized Senator Schwertner to explain the difference between the committee substitute and the bill as engrossed. Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered. Senator Creighton moved that HB 5 do not pass but the committee substitute do pass and be printed. The motion carried with a record vote of 6 ayes, 2 nays, 3 present not voting, and 0 absent.

Senator Schwertner resumed the chair.

There being no further business, at 4:48 PM, the Chair moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Charles Schwertner, Chair

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Annika Vandayar, Clerk