

## MINUTES

### SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, April 4, 2023

8:30 AM

Capitol Extension, Room E1.016

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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 Criminal Justice was held on Tuesday, April 4, 2023, in the Capitol Extension, Room E1.016, at Austin, Texas.

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**MEMBERS PRESENT:**

Senator John Whitmire, Chair  
Senator Pete Flores, Vice Chair  
Senator Paul Bettencourt  
Senator Juan Hinojosa  
Senator Joan Huffman  
Senator Phil King  
Senator Borris Miles

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 8:30 AM. There being a quorum present, the following business was transacted:

The following members arrived after the roll was called: Senator Bettencourt, Senator King, and Senator Miles

The chair laid out as a matter of pending business CSSB 49 and recognized the author, 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 senate bill as filed. Senator

Whitmire moved that the committee substitute be left pending to await a quorum; without objection, it was so ordered.

The chair laid out SB 839 and recognized the author, Senator West, 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 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 Whitmire moved that SB 839 do not pass but that CSSB 839 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 1 nay, 2 present not voting, and 0 absent. Senator King and Senator Bettencourt requested to be shown voting PNV.

The chair laid out SB 1361 and recognized the author, Senator Huffman, 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 Flores moved that SB 1361 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent. Senator King and Senator Bettencourt submitted a motion in writing requesting to be shown voting aye on SB1361.

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 1179 and recognized the author, Senator Perry, to explain the bill.

Senator Whitmire sent up a committee substitute. The chair recognized Senator Perry to explain the difference between the committee substitute and the senate bill as filed. Senator Flores 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 Flores moved that SB 1179 do not pass but that CSSB 1179 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent. Senator King and Senator Bettencourt submitted a motion in writing requesting to be shown voting aye on SB1361

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 SB 1180 and recognized the author, Senator Perry, to explain the bill.

Senator Flores sent up a committee substitute. The chair recognized Senator Perry to explain the difference between the committee substitute and the senate bill as filed. Senator Flores 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 Flores moved that SB 1180 do not pass but that CSSB 1180 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent. Senator King and Senator Bettencourt submitted a motion in writing requesting to be shown voting aye on SB1180

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 SB 533 and recognized the author, 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 Flores moved that SB 533 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present

not voting, and 0 absent. Senator King and Senator Bettencourt submitted a motion in writing requesting to be shown voting aye on SB533

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 SB 1562 and recognized the author, Senator Hancock, 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 Flores moved that SB 1562 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 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 SB 2429 and recognized the author, Senator Hancock, to explain the bill.

Senator Flores sent up a committee substitute. The chair recognized Senator Hancock to explain the difference between the committee substitute and the senate bill as filed. Senator Flores 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 SB 2429 do not pass but that CSSB 2429 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 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 SB 1445 and recognized the author, Senator Paxton, to explain the bill.

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

Senator Flores moved that SB 1445 do not pass but that CSSB 1445 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent.

The chair laid out SB 1325 and recognized the author, Senator Alvarado, to explain the bill.

Senator Flores sent up a committee substitute.

The chair recognized Senator Alvarado to explain the difference between the committee substitute and the senate bill as filed. Senator Flores 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 Flores moved that SB 1325 do not pass but that CSSB 1325 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 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 SB 855 and recognized the author, Senator Alvarado, to explain the bill.

Senator Flores sent up a committee substitute. The chair recognized Senator Alvarado to explain the difference between the committee substitute and the senate bill as filed. Senator Flores moved the adoption of the committee substitute; without objection, it was so ordered. Senator Miles submitted a motion in writing requesting to be shown voting aye on CSSB855

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 Flores moved that SB 855 do not pass but that CSSB 855 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Flores 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 10:47 AM Senator Whitmire moved that the Committee stand recessed. Without objection, it was so ordered.

At 5:00 PM Senator Whitmire reconvened the meeting.

At 5:01 PM Senator Flores assumed the Chair.

The chair laid out SB 2085 and recognized the author, Senator Whitmire, to explain the bill.

Senator Hinojosa sent up a committee substitute. The chair recognized Senator Whitmire to explain the difference between the committee substitute and the senate bill as filed. Senator Flores 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 Flores moved that SB 2085 be left pending to await a quorum; without objection, it was so ordered.

At 5:07 PM Senator Whitmire resumed the Chair.

The chair laid out SB 409 and recognized the author, Senator Hinojosa, to explain the bill.

Senator Flores sent up a committee substitute. The chair recognized Senator Hinojosa to explain the difference between the committee substitute and the senate bill as filed. Senator Flores moved the 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.

The roll was called and the following members were present: Senators Whitmire, Flores, Hinojosa, and Miles.

Senator Flores moved that SB 409 do not pass but that CSSB 409 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent. Senator King, Senator Huffman, and Senator Bettencourt submitted a motion in writing requesting to be shown voting aye on SB409.

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

Senator Flores moved that SB 2085 do not pass but that CSSB 2085 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent. Senator King, Senator Huffman, and Senator Bettencourt submitted a motion in writing requesting to be shown voting aye on SB409

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 SB 1852 and recognized the author, Senator Flores, to explain the bill.

Senator Hinojosa sent up a committee substitute. The chair recognized Senator Flores to explain the difference between the committee substitute and the senate bill as filed. Senator Hinojosa moved the 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 Hinojosa moved that SB 1852 do not pass but that CSSB 1852 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent. Senator King, Senator Huffman, and Senator Bettencourt submitted a motion in writing requesting to be shown voting aye on SB1852

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

As a matter of pending business, the chair laid out CSSB49. Senator Flores moved that SB 49 do not pass but that CSSB 49 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent. Senator King, Senator Huffman, and Senator Bettencourt submitted a motion in writing requesting to be shown voting aye on SB49.

Senator Flores 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 5:17 PM Senator Whitmire moved that the Committee stand recessed. Without objection, it was so ordered.

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Senator John Whitmire, Chair

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Juan Negrete, Clerk