

MINUTES

SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, May 16, 2023

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 16, 2023, in the Capitol Extension, Room E1.016, at Austin, Texas.

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

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 Miles, Senator King.

The chair laid out HB 2670 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 2670 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 3186 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 3186 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 3660 and recognized the Senate sponsor, Senator Zaffirini, 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 3660 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 422 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 422 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 1184 and recognized the Senate sponsor, Senator Johnson, 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 1184 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 5195 and recognized the Senate sponsor, Senator Johnson, 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.

The clerk called the roll, and a quorum was present at 8:49 AM.

The chair laid out HB 2877 and recognized the Senate sponsor, Senator Blanco, to explain the bill.

Senator Flores sent up a committee substitute. The chair recognized Senator Blanco 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 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 HB 2877 do not pass but that CSHB 2877 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 following members submitted a motion in writing requesting to be shown voting aye on CSHB2877: Senator Bettencourt, Senator Miles, Senator King.

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 HB 2660 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 Flores moved that HB 2660 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. The following members submitted a motion in writing requesting to be shown voting aye on HB2660: Senator Bettencourt, Senator Miles, and Senator King.

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 HB 844 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 Flores moved that HB 844 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. The following members submitted a motion in writing requesting to be shown voting aye on HB844: Senator Bettencourt, Senator Miles, Senator King.

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 HB 4906 and recognized the Senate sponsor, Senator West, 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 HB 4906 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. The following members submitted a motion in writing requesting to be shown voting aye on HB4906: Senator Bettencourt, Senator Miles, and Senator King.

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 HB 1769 and recognized the Senate sponsor, Senator Alvarado, 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 1769 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 420 and recognized the Senate sponsor, Senator Pete Flores, 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 420 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 2154 and recognized the Senate sponsor, Senator Flores, 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 2154 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 4879 and recognized the Senate sponsor, Senator Pete Flores, 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 4879 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 3025 and recognized the Senate sponsor, Senator Middleton, 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 3025 be left pending to await a quorum; without objection, it was so ordered.

At 9:15 AM Senator Hinojosa assumed the chair.

The chair laid out HB 3553 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 Hinojosa moved that HB 3553 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 3554 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 Hinojosa moved that HB 3554 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 2897 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 Hinojosa moved that HB 2897 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 4528 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 Hinojosa moved that HB 4528 be left pending to await a quorum; without objection, it was so ordered.

At 9:24 AM Senator Whitmire resumed the chair.

The chair laid out HB 1661 and recognized the Senate sponsor, Senator King, 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 1661 be left pending to await a quorum; 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 1661 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 1710 and recognized the Senate sponsor, Senator Hinojosa, 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 1710 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 1914 and recognized the Senate sponsor, Senator Hinojosa, 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 laid out HB 1427 and recognized Senator Hinojosa, in the absence of the Senate sponsor, 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 1427 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 2700 and recognized Senator Hinojosa, in the absence of the Senate sponsor, 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.

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 2700 be left pending to await a quorum; without objection, it was so ordered.

The chair laid out HB 3161 and recognized Senator Hinojosa, 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.

At the chairs request, the clerk called the roll, and a quorum was present at 9:40 AM

As a matter of pending business, the chair laid out HB 420. Senator Hinojosa sent up a committee substitute. The chair recognized Senator Flores 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.

Senator Bettencourt moved that HB 420 do not pass but that CSHB 420 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 following members submitted a motion in writing requesting to be shown voting aye on CSHB420: Senator Flores, Senator Miles, and Senator Huffman

Senator Bettencourt 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 HB422.

Senator Hinojosa sent up a committee substitute. The chair recognized Senator Perry 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.

Senator Bettencourt moved that HB 422 do not pass but that CSHB 422 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 following members submitted a motion in writing requesting to be shown voting aye on CSHB 422: Senator Flores, Senator Miles, and Senator Huffman

Senator Bettencourt 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 HB 1184. Senator Bettencourt moved that HB 1184 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. The following members submitted a motion in writing requesting to be shown voting aye on HB1184: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB1427. Senator Hinojosa moved that HB 1427 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. The following members submitted a motion in writing requesting to be shown voting aye on HB1427: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 1661. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent. Senator Hinojosa moved that HB 1661 be reported favorably to the Senate with the recommendation that it do pass and be printed. The following members submitted a motion in writing requesting to be shown voting aye on HB 1161: Senator Flores, Senator Miles, and Senator Huffman.

Senator King 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 HB1710. Senator Bettencourt sent up a committee substitute. The chair recognized Senator Hinojosa 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.

Senator Bettencourt moved that HB 1710 do not pass but that CSHB 1710 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 following members submitted a motion in writing requesting to be shown voting aye on CSHB1710: Senator Flores, Senator Miles, and Senator Huffman

Senator Bettencourt 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 HB1769. Senator Hinojosa moved that HB 1796 be reported favorably to the Senate with the recommendation that it do pass and be printed. The following members submitted a motion in writing requesting to be shown voting aye on HB1769: Senator Flores, Senator Miles, and Senator Huffman

Senator Bettencourt 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 HB 1914. Senator Bettencourt moved that HB 1914 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 1914: Senator Flores, Senator Miles, and Senator Huffman

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 HB2154. Senator Bettencourt moved that HB 2154 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 2154: Senator Flores, Senator Miles, and Senator Huffman

Senator Bettencourt 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 HB2620. Senator Bettencourt sent up a committee substitute. The chair recognized Senator King 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.

Senator Bettencourt moved that HB 2620 do not pass but that CSHB 2620 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 following members submitted a motion in writing requesting to be shown voting aye on HB 2620: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB2660. Senator Hinojosa moved that HB 2660 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 2660 : Senator Flores, Senator Miles, and Senator Huffman.

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 HB 2670. Senator Hinojosa moved that HB 2670 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 2670: Senator Flores, Senator Miles, and Senator Huffman.

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 HB 2700. Senator Bettencourt moved that HB 2700 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 2700: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 2897. Senator Hinojosa moved that HB 2897 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 2897: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 3025. Senator Bettencourt moved that HB 3161 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 3025: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB3161. Senator Bettencourt sent up a committee substitute. The chair recognized Senator Hinojosa 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.

Senator Bettencourt moved that HB 3161 do not pass but that CSHB 3161 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 following members submitted a motion in writing requesting to be shown voting aye on CSHB 3161: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 3186. Senator Hinojosa moved that HB 3186 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 3186: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 3553. Senator Bettencourt moved that HB 3553 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 3553: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 3554. Senator Bettencourt moved that HB 3554 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. The following members submitted a motion in writing requesting to be shown voting aye on HB3554: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 3660. Senator Bettencourt moved that HB 3660 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. The following members submitted a motion in writing requesting to be shown voting aye on HB3660: Senator Flores, Senator Miles, and Senator Huffman.

As a matter of pending business, the chair laid out HB 4528. Senator Bettencourt moved that HB 4528 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. The following members submitted a motion in writing requesting to be shown voting aye on HB4528: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 4879. Senator Bettencourt moved that HB 4879 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 4879: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 HB 5195. Senator Bettencourt moved that HB 5195. 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. The following members submitted a motion in writing requesting to be shown voting aye on HB 5195: Senator Flores, Senator Miles, and Senator Huffman.

Senator Bettencourt 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 9:58 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

Juan Negrete, Clerk