

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, March 17, 2015

8:00 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 Business & Commerce was held on Tuesday, March 17, 2015, in the Capitol Extension, Room E1.016, at Austin, Texas.

MEMBERS PRESENT:

Senator Kevin Eltife, Chair
Senator Brandon Creighton, Vice Chair
Senator Rodney Ellis
Senator Don Huffines
Senator Charles Schwertner
Senator Kel Seliger
Senator Larry Taylor
Senator Kirk Watson
Senator John Whitmire

MEMBERS ABSENT:

None

The chair called the meeting to order at 8:00 AM. There being a quorum present, the following business was transacted:

The following members arrived after the roll was called:

Senator Rodney Ellis
Senator Don Huffines
Senator Charles Schwertner
Senator John Whitmire

The chair laid out SB 59 and recognized the author, Senator Nelson, 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 Eltife moved that SB 59 be left pending; without objection, it was so ordered.

The chair laid out SB 679 and recognized the author, Senator Nelson, 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 Eltife moved that SB 679 be left pending; without objection, it was so ordered.

The chair laid out SB 367 and recognized the author, Senator Garcia, to explain the bill.

Senator Seliger sent up a committee substitute; the chair recognized Senator Garcia to explain the difference between the committee substitute and the senate bill as filed. Senator Seliger moved 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 Eltife moved that SB 367 be left pending; without objection, it was so ordered.

The chair laid out SB 705 and recognized the author, Senator Uresti, 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 Eltife moved that SB 705 be left pending; without objection, it was so ordered.

The chair laid out SB 598 and recognized the author, Senator Rodríguez, 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 Eltife moved that SB 598 be left pending; without objection, it was so ordered.

The chair laid out SB 34 and recognized the author, 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 Eltife moved that SB 34 be left pending; without objection, it was so ordered.

The chair laid out SB 46 and recognized the author, Senator Zaffirini, to explain the bill.

Senator Creighton 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 Creighton moved 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 Eltife moved that SB 46 be left pending; without objection, it was so ordered.

There being no further business, at 8:58 AM Senator Eltife moved that the Committee stand recessed until after adjournment of the Senate. Without objection, it was so ordered.

Pursuant to a motion made by Senator Eltife on the Senate floor, to suspend the posting rule, Senate Rules 11.10 and 11.18, the Senate Committee on Business and Commerce reconvened at 1:15 pm in E1.028.

The chair laid out as a matter of pending business SB 478.

Senator Seliger moved that SB 478 be reported favorably to the 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 0 absent. Senators Creighton, Huffines, and Ellis submitted motions in writing to be shown voting aye on SB 478.

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

The chair laid out as a matter of pending business SB 641.

Senator Schwertner moved that SB 641 do not pass but that CSSB 641 be reported back to the 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 0 absent. Senators Creighton, Huffines, Taylor and Ellis submitted motions in writing to be shown voting aye on CSSB 641.

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

The chair laid out as a matter of pending business SB 34.

Senator Whitmire moved that SB 34 be reported favorably to the 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 0 absent. Senators Creighton, Huffines, Taylor and Ellis submitted motions in writing to be shown voting aye on SB 34.

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

The chair laid out as a matter of pending business SB 46.

Senator Whitmire moved that SB 46 do not pass but that CSSB 46 be reported back to the 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 0 absent. Senators Creighton, Huffines, Taylor and Ellis submitted motions in writing to be shown voting aye on CSSB 46.

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

The chair laid out as a matter of pending business SB 59.

Senator Eltife moved that SB 59 do pass and be reported back to the 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 0 absent. Senators Creighton, Huffines, Taylor and Ellis submitted motions in writing to be shown voting aye on SB 59.

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

The chair laid out as a matter of pending business SB 679.

Senator Eltife moved that SB 679 be reported favorably to the 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 0 absent. Senators Creighton, Huffines, Taylor and Ellis submitted motions in writing to be shown voting aye on SB 679.

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 as a matter of pending business SB 680.

Senator Eltife moved that SB 680 be reported favorably to the 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 0 absent. Senators Creighton, Huffines, Taylor and Ellis submitted motions in writing to be shown voting aye on SB 680.

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

Senator Whitmire assumed the chair.

The chair laid out as a matter of pending business SB 653.

Senator Seliger moved that SB 653 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 0 present not voting, and 0 absent. Senators Creighton, Taylor and Ellis submitted motions in writing to be shown voting aye on SB 653. Senator Huffines submitted motion in writing requesting to be shown voting nay on SB 653.

The chair laid out as a matter of pending business SB 656.

Senator Seliger moved that SB 656 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nay, 0 present not voting, and 0 absent. Senators Creighton, Taylor and Ellis submitted motions in writing to be shown voting aye on SB 656. Senator Huffines submitted motion in writing requesting to be shown voting nay on SB 656.

The chair laid out as a matter of pending business SB 657.

Senator Seliger moved that SB 657 be reported favorably to the 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 0 absent. Senators Huffines and Taylor submitted motions in writing to be shown voting aye on SB 657.

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

The chair laid out as a matter of pending business SB 700.

Senator Seliger moved that SB 700 be reported favorably to the 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 0 absent. Senators Huffines and Taylor submitted motions in writing to be shown voting aye on SB 700.

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

The chair laid out as a matter of pending business SB 784.

Senator Seliger moved that SB 784 be reported favorably to the 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 0 absent. Senators Huffines and Taylor submitted motions in writing to be shown voting aye on SB 784.

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

The chair laid out as a matter of pending business SB 859.

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

Senator Seliger moved that SB 859 do not pass but that CSSB 859 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 2 absent.

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

The chair laid out as a matter of pending business SB 860.

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

Senator Seliger moved that SB 860 do not pass but that CSSB 860 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 2 absent.

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

Senator Eltife resumed the chair.

The chair laid out as a matter of pending business SB 267.

Senator Watson sent up Committee Amendment 1 and moved adoption; The motion carried with a record vote of 5 ayes, 4 nays, 0 present not voting, and 0 absent.

Senator Watson requested unanimous consent to incorporate the amendment into the bill to create a committee substitute. The motion carried with a record vote of 5 ayes, 4 nays, 0 present not voting, and 0 absent. Senator Whitmire then moved that the committee substitute be adopted. The motion carried with a record vote of 7 ayes, 2 nays, 0 present not voting, and 0 absent. Senator Whitmire moved that SB 267 do not pass but that CSSB 267 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 8 ayes, 1 nays, 0 present not voting, and 0 absent. Senator Taylor submitted a motion in

writing to be shown voting nay on the following motions: adoption of the committee amendment, rolling the committee amendment into a committee substitute, and the adoption of the committee substitute. Senator Taylor submitted a motion in writing to be shown voting aye on CSSB 267.

The chair laid out as a matter of pending business SB 494.

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

Senator Watson moved that SB 494 be reported favorably to the 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 0 absent. Senators Huffines, Taylor, and Whitmire submitted motions in writing requesting to be shown voting aye on SB 494.

The chair laid out SB 844 and recognized the author, Senator Taylor, Van, 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 Eltife moved that SB 844 be left pending; without objection, it was so ordered.

The chair laid out SB 188 and recognized the author, Senator Watson, 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 Eltife moved that SB 188 be left pending; without objection, it was so ordered.

The chair laid out SB 189 and recognized the author, Senator Watson, to explain the bill.

Senator Taylor sent up a committee substitute; the chair recognized Senator Watson to explain the difference between the committee substitute and the senate bill as filed. Senator Eltife moved committee substitute 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 Eltife moved that SB 189 be left pending; without objection, it was so ordered.

Senator Taylor assumed the chair.

The chair laid out SB 655 and recognized the author, Senator Eltife, 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 Taylor moved that SB 655 be left pending; without objection, it was so ordered.

The chair laid out SB 876 and recognized the author, Senator Eltife, to explain the bill.

Senator Watson sent up a committee substitute; the chair recognized Senator Eltife to explain the difference between the committee substitute and the senate bill as filed. Senator Taylor moved committee substitute be left pending to await a quorum; 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 Taylor moved that SB 876 be left pending; without objection, it was so ordered.

The chair laid out SB 699 and recognized the author, Senator Eltife, 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 Taylor moved that SB 699 be left pending; without objection, it was so ordered.

The chair laid out SB 667 and recognized the author, Senator Eltife, 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 Taylor moved that SB 667 be left pending; without objection, it was so ordered.

The chair laid out SB 782 and recognized the author, Senator Eltife, to explain the bill.

Senator Watson sent up a committee substitute; the chair recognized Senator Eltife to explain the difference between the committee substitute and the senate bill as filed. Senator Taylor moved committee substitute 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 Taylor moved that SB 782 be left pending; without objection, it was so ordered.

The chair laid out SB 783 and recognized the author, Senator Eltife, 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 Taylor moved that SB 783 be left pending; without objection, it was so ordered.

The chair laid out SB 901 and recognized the author, Senator Eltife, 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 Taylor moved that SB 901 be left pending; without objection, it was so ordered.

The chair laid out SB 858 and recognized the author, Senator Eltife, to explain the bill.

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

Senator Taylor moved that SB 858 be left pending; without objection, it was so ordered.

Senator Eltife resumed the chair.

There being no further business, at 1:20 PM Senator Eltife moved that the Committee be adjourned. Without objection, it was so ordered.

Senator Kevin Eltife, Chair

Brady Faglie, Clerk