

MINUTES

SENATE COMMITTEE ON BUSINESS & COMMERCE

Tuesday, April 14, 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, April 14, 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 8:07 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 Kel Seliger

The chair laid out as a matter of pending business SB 1628.

Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered.

The chair moved that public testimony be re-opened.

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 SB 862 and recognized the author, Senator Birdwell, to explain the bill.

Senator Taylor sent up a committee substitute; the chair recognized Senator Birdwell to explain the difference between the committee substitute and the senate bill as filed. Senator Eltife moved committee substitute be left pending; 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 862 be left pending; without objection, it was so ordered.

The chair laid out SB 864 and recognized the author, Senator Birdwell, to explain the bill.

Senator Eltife sent up a committee substitute; the chair recognized Senator Birdwell to explain the difference between the committee substitute and the senate bill as filed. Senator Eltife moved committee substitute be left pending; 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 864 be left pending; without objection, it was so ordered.

The chair laid out SB 525 and recognized the author, Senator Birdwell, 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 525 be left pending; without objection, it was so ordered.

The chair laid out SB 1852 and recognized the author, Senator Nichols, 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 1852 be left pending; without objection, it was so ordered.

The chair laid out SB 1626 and recognized the author, Senator Rodríguez, to explain the bill.

Senator Creighton sent up a committee substitute; the chair recognized Senator Rodriguez to explain the difference between the committee substitute and the senate bill as filed. Senator Eltife moved committee substitute be left pending; 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 1626 be left pending; without objection, it was so ordered.

The chair laid out SB 988 and recognized the author, Senator Perry, 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 988 be left pending; without objection, it was so ordered.

The chair laid out SB 1774 and recognized the author, 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.

Senator Eltife moved that SB 1774 be left pending; without objection, it was so ordered.

At 10:47 AM Senator Eltife moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

The posting rule, Senate Rule 11.10 and 11.18, was suspended.

At 4:34 PM Senator Eltife reconvened the meeting.

The chair laid out as a matter of pending business SB 367.

Senator Watson moved that SB 367 do not pass but that CSSB 367 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 nay, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 498.

Senator Taylor moved that SB 498 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.

The chair laid out as a matter of pending business SB 526.

Senator Creighton moved that SB 526 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, 2 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 828.

Senator Taylor moved that SB 828 do not pass but that CSSB 828 be reported back to the Senate with the recommendation that it do pass and be printed. Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered. The motion carried with a record vote of 9 ayes, 0 nays, 0 present not voting, and 0 absent.

Senator Taylor 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 836.

Senator Watson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Watson moved that SB 836 do not pass but that CSSB 836 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 nay, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 900.

Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered.

Senator Taylor moved that SB 900 do not pass but that CSSB 900 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, 2 nays, 0 present not voting, and 0 absent.

The chair laid out as a matter of pending business SB 902.

Senator Creighton moved that SB 902 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.

Senator Creighton 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 1017.

Senator Seliger moved that SB 1017 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.

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 1081.

Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered.

Senator Creighton moved that SB 1081 do not pass but that CSSB 1081 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, 1 nay, 0 present not voting, and 1 absent. Senator Whitmire submitted a motion in writing voting aye.

The chair laid out as a matter of pending business SB 1133.

Senator Creighton moved that SB 1133 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. Senator Whitmire submitted a motion in writing voting aye.

Senator Creighton 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 1313.

Senator Watson moved that SB 1313 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. Senator Whitmire submitted a motion in writing voting aye.

Senator Creighton 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 1596.

Senator Creighton moved that SB 1596 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. Senator Whitmire submitted a motion in writing voting aye.

Senator Creighton 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 1628.

Senator Taylor moved adoption of the committee substitute; without objection, it was so ordered.

Senator Eltife moved that SB 1628 do not pass but that CSSB 1628 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 3 nays, 0 present not voting, and 0 absent. Senator Whitmire submitted a motion in writing voting nay.

The chair laid out as a matter of pending business SB 1844.

Senator Watson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Eltife moved that SB 1844 do not pass but that CSSB 1844 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. Senator Whitmire submitted a motion in writing voting aye.

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 1845.

Senator Watson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Eltife moved that SB 1845 do not pass but that CSSB 1845 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. Senator Whitmire submitted a motion in writing voting aye.

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 1877.

Senator Ellis moved adoption of the committee substitute; without objection, it was so ordered.

Senator Ellis moved that SB 1877 do not pass but that CSSB 1877 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. Senator Whitmire submitted a motion in writing voting aye.

Senator Ellis 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 1878.

Senator Watson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Eltife moved that SB 1878 do not pass but that CSSB 1878 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. Senator Whitmire submitted a motion in writing voting aye.

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 862.

Senator Creighton moved adoption of the committee substitute; without objection, it was so ordered.

Senator Creighton moved that SB 862 do not pass but that CSSB 862 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. Senator Whitmire submitted a motion in writing voting aye.

Senator Creighton 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 864,

Senator Watson moved adoption of the committee substitute; without objection, it was so ordered.

Senator Watson moved that SB 864 do not pass but that CSSB 864 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. Senator Whitmire submitted a motion in writing voting aye.

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 988.

Senator Seliger moved adoption of the committee substitute; without objection, it was so ordered.

Senator Seliger moved that SB 988 do not pass but that CSSB 988 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. Senator Whitmire submitted a motion in writing voting aye.

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 1626.

Senator Ellis moved adoption of the committee substitute; without objection, it was so ordered.

Senator Ellis moved that SB 1626 do not pass but that CSSB 1626 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, 0 nays, 1 present not voting, and 0 absent. Senator Whitmire submitted a motion in writing voting aye.

Senator Ellis 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 1852.

Senator Seliger moved that SB 1852 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 6 ayes, 0

nays, 2 present not voting, and 1 absent. Senator Whitmire submitted a motion in writing voting aye.

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

Senator Creighton assumed the chair.

The chair laid out as a matter of pending business SB 957.

Senator Taylor moved that SB 957 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, 0 nays, 0 present not voting, and 1 absent. Senator Whitmire submitted a motion in writing voting aye.

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 1075.

Senator Seliger moved that SB 1075 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, 0 nays, 0 present not voting, and 1 absent. Senators Whitmire and Huffines submitted a motion in writing voting aye.

Senator Taylor 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 1282.

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 Schwertner moved adoption of the committee substitute; without objection, it was so ordered.

Senator Taylor moved that SB 1282 do not pass but that CSSB 1282 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, 0 nays, 0 present not voting, and 1 absent. Senators Whitmire and Huffines submitted a motion in writing voting aye.

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 1651.

Senator Eltife moved adoption of the committee substitute; without objection, it was so ordered.

Senator Taylor moved that SB 1651 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, 0 nays, 0 present not voting, and 1 absent. Senators Whitmire and Huffines submitted a motion in writing voting aye.

Senator Taylor 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 SB 1021 and recognized the author, Senator Creighton, 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 1021 be left pending; without objection, it was so ordered.

The chair laid out SB 1168 and recognized Senator Creighton, in the absence of the author, 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 1168 be left pending; without objection, it was so ordered.

Senator Schwertner assumed the chair.

The chair laid out SB 1503 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 Schwertner moved that SB 1503 be left pending; without objection, it was so ordered.

The chair laid out SB 2003 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 Schwertner moved that SB 2003 be left pending; without objection, it was so ordered.

The chair laid out SB 1443 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 Schwertner moved that SB 1443 be left pending; without objection, it was so ordered.

The chair laid out SB 799 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 Schwertner moved that SB 799 be left pending; without objection, it was so ordered.

Senator Eltife resumed the chair.

The chair laid out SB 1233 and recognized Senator Schwertner, in the absence of the author, 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 1233 be left pending; without objection, it was so ordered.

The chair laid out SB 1638 and recognized the author, Senator Zaffirini, to explain the bill.

Senator Schwertner 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 Eltife moved committee substitute be left pending; 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 Eltife moved that SB 1638 be left pending; without objection, it was so ordered.

There being no further business, at 5:54 PM Senator Eltife moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Senator Kevin Eltife, Chair

Brady Faglie, Clerk