

## MINUTES

### SENATE COMMITTEE ON BUSINESS & COMMERCE

Thursday, May 7, 2015

9:30 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 Business & Commerce was held on Thursday, May 7, 2015, in the Capitol Extension, Room E1.016, at Austin, Texas.

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#### **MEMBERS PRESENT:**

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

#### **MEMBERS ABSENT:**

Senator Kel Seliger

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The chair called the meeting to order at 9:29 AM. The following business was transacted:

The chair laid out HB 2167 and recognized Senator Whitmire, 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.

Senator Eltife moved that HB 2167 be left pending; without objection, it was so ordered.

Senator Whitmire assumed the chair.

The chair laid out HB 104 and recognized the Senate sponsor, 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 Whitmire moved that HB 104 be left pending; without objection, it was so ordered.

The chair laid out HB 2339 and recognized the Senate sponsor, 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 Whitmire moved that HB 2339 be left pending; without objection, it was so ordered.

The chair laid out HB 3536 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 Whitmire moved that HB 3536 be left pending; without objection, it was so ordered.

The chair laid out HB 3555 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 Whitmire moved that HB 3555 be left pending; without objection, it was so ordered.

The chair laid out HB 3741 and recognized the Senate sponsor, 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 Whitmire moved that HB 3741 be left pending; without objection, it was so ordered.

The chair laid out HB 3911 and recognized the Senate sponsor, 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 Whitmire moved that HB 3911 be left pending; without objection, it was so ordered.

Senator Eltife resumed the chair.

The chair laid out HB 1771 and recognized Senator Schwertner, 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.

Senator Eltife moved that HB 1771 be left pending; without objection, it was so ordered.

The roll was called and a quorum was established.

The chair laid out SB 1227 and recognized Senator Watson, in the absence of the author, to explain the bill.

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.

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 1227 be left pending; without objection, it was so ordered.

The chair laid out HB 2052 and recognized Senator Watson, 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.

Senator Eltife moved that HB 2052 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business SB 1060.

Senator Whitmire moved that SB 1060 do not pass but that CSSB 1060 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.

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 1185.

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

Senator Huffines moved that SB 1185 do not pass but that CSSB 1185 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. Senator Whitmire submitted a motion in writing voting aye.

Senator Huffines 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 HB 1077.

Senator Creighton moved that HB 1077 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 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 HB 1221.

Senator Watson moved that HB 1221 do not pass but that CSHB 1221 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. Senator Whitmire submitted a motion in writing voting aye.

The chair laid out as a matter of pending business HB 2145.

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

Senator Creighton moved that HB 2145 do not pass but that CSHB 2145 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 HB 2213.

Senator Creighton moved that HB 2213 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, 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 HB 2394.

Senator Creighton moved that HB 2394 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 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 HB 601.

Senator Eltife moved that HB 601 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 Creighton 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 HB 1964.

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

Senator Watson moved that HB 1964 do not pass but that CSHB 1964 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. 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 HB 2491.

Senator Taylor moved that HB 2491 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 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 HB 2813.

Senator Watson moved that HB 2813 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, 2 nays, 0 present not voting, and 1 absent. Senator Whitmire submitted a motion in writing voting aye.

Senator Eltife resumed the chair.

There being no further business, at 10:02 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.

The chair reconvened the meeting at 5:30PM in the Senate Chamber.

The chair laid out as a matter of pending business SB 121.

Senator Watson moved that SB 121 do not pass but that CSSB 121 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 5 ayes, 2 nays, 0 present not voting, and 2 absent.

There being no further business, at 5:32 PM Senator Eltife moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator Kevin Eltife, Chair

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Brady Faglie, Clerk

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