

**MINUTES**

**SENATE COMMITTEE ON BUSINESS & COMMERCE**

Tuesday, May 12, 2015

8:00 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 Tuesday, May 12, 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 Don Huffines  
Senator Charles Schwertner  
Senator Kel Seliger  
Senator Larry Taylor  
Senator John Whitmire

**MEMBERS ABSENT:**

Senator Rodney Ellis  
Senator Kirk Watson

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The chair called the meeting to order at 8:00 AM. The following business was transacted:

The following members arrived after the roll was called:

Senator Don Huffines

The chair laid out HB 3132 and recognized the Senate sponsor, Senator Birdwell, 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 HB 3132 be left pending; without objection, it was so ordered.

The chair laid out HB 574 and recognized the Senate sponsor, Senator Campbell, 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 574 be left pending; without objection, it was so ordered.

The chair laid out HB 1049 and recognized the Senate sponsor, 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 HB 1049 be left pending; without objection, it was so ordered.

The roll was called and a quorum was established.

The chair laid out as a matter of pending business SB 1227.

Senator Seliger moved that SB 1227 do not pass but that CSSB 1227 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 Huffines 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.

Senator Creighton moved that HB 1771 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, 1 nay, 0 present not voting, and 2 absent. Senator Huffines submitted a motion in writing voting nay.

The chair laid out as a matter of pending business HB 2052.

Senator Seliger moved that HB 2052 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 2 absent. Senator Huffines 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 2133.

Senator Seliger moved that HB 2133 be reported favorably to the Senate with the recommendation that it do pass and be printed. The motion failed to carry with a record vote of 3 ayes, 2 nays, 1 present not voting, and 3 absent.

The chair laid out as a matter of pending business HB 2167.

Senator Creighton moved that HB 2167 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 2 absent. Senator Huffines 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 2261 in lieu of SB 738.

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

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

Senator Creighton assumed the chair.

The chair laid out as a matter of pending business HB 104.

Senator Taylor moved that HB 104 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 2 absent. Senator 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 HB 482 in lieu of SB 430.

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

Senator Eltife moved that HB 482 do not pass but that CSHB 482 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 Huffines submitted a motion in writing voting aye.

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 HB 2339.

Senator Taylor moved that HB 2339 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 2 absent. Senator Huffines submitted a motion in writing voting aye.

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 HB 3536.

Senator Whitmire moved that HB 3536 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 2 absent. Senator Huffines submitted a motion in writing voting aye.

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 HB 3555.

Senator Taylor moved that HB 3555 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 2 absent. Senator Huffines submitted a motion in writing voting aye.

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 HB 3741.

Senator Taylor moved that HB 3741 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 2 absent. Senator 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 HB 3911.

Senator Schwertner moved that HB 3911 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 2 absent. Senator 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.

Senator Eltife resumed the chair.

The chair laid out as a matter of pending business HB 2261.

The chair recognized Senator Hinojosa to explain the committee substitute.

Senator Creighton moved that HB 2261 do not pass but that CSHB 2261 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 Huffines 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 HB 1912 and recognized the Senate sponsor, 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 house bill as engrossed. 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 HB 1912 be left pending; without objection, it was so ordered.

The chair laid out HB 311 and recognized the Senate sponsor, Senator Lucio, Jr., to explain the bill.

Senator Whitmire sent up a committee substitute; the chair recognized Senator Lucio to explain the difference between the committee substitute and the house bill as engrossed. 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 HB 311 be left pending; without objection, it was so ordered.

The chair laid out HB 2735 and recognized the Senate sponsor, Senator Hancock, 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 HB 2735 be left pending; without objection, it was so ordered.

The chair laid out HB 2066 and recognized Senator Whitmire, in the absence of the Senate sponsor, 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 house bill as engrossed. 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 HB 2066 be left pending; without objection, it was so ordered.

The chair laid out HB 1890 and recognized Senator Taylor, 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 1890 be left pending; without objection, it was so ordered.

The chair laid out HB 2717 and recognized Senator Taylor, 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 2717 be left pending; without objection, it was so ordered.

The chair laid out HB 1853 and recognized the Senate sponsor, Senator Huffines, 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 1853 be left pending; without objection, it was so ordered.

Senator Creighton assumed the chair.

The chair laid out HB 796 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 Creighton moved that HB 796 be left pending; without objection, it was so ordered.

The chair laid out HB 1348 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 Creighton moved that HB 1348 be left pending; without objection, it was so ordered.

The chair laid out HB 1454 and recognized the Senate sponsor, Senator Eltife, to explain the bill.

Senator Huffines 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 Creighton 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 Creighton moved that HB 1454 be left pending; without objection, it was so ordered.



The chair laid out as a matter of pending business HB 2439.

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 Creighton moved that HB 2439 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3091.

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 Creighton moved that HB 3091 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3315.

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 Creighton moved that HB 3315 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 3872.

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 Creighton moved that HB 3872 be left pending; without objection, it was so ordered.

There being no further business, at 9:11 AM Senator Creighton 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