

**MINUTES**

**SENATE COMMITTEE ON BUSINESS & COMMERCE**

Thursday, May 14, 2015

9:00 AM

Senate Chamber

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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 14, 2015, in the Senate Chamber.

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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 Kel Seliger  
Senator Larry Taylor  
Senator Kirk Watson  
Senator John Whitmire

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 9:04 AM. The following business was transacted:

The chair laid out HB 831 and recognized the Senate sponsor, Senator West, 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 831 be left pending; without objection, it was so ordered.

The chair laid out HB 3014 and recognized the Senate sponsor, Senator West, to explain the bill.

Senator Huffines sent up a committee substitute; the chair recognized Senator West 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 3014 be left pending; without objection, it was so ordered.

The chair laid out HB 685 and recognized the Senate sponsor, Senator Hancock, to explain the bill.

Senator Watson assumed the chair.

Senator Huffines sent up a committee substitute; the chair recognized Senator Hancock to explain the difference between the committee substitute and the house bill as engrossed. Senator Watson 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 Watson moved that HB 685 be left pending; without objection, it was so ordered.

The chair laid out HB 1184 and recognized Senator Huffines, in the absence of the Senate sponsor, to explain the bill.

Senator Huffines sent up a committee substitute; the chair recognized Senator Huffines to explain the difference between the committee substitute and the house bill as engrossed. Senator Watson 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 Watson moved that HB 1184 be left pending; without objection, it was so ordered.

The chair laid out as a matter of pending business HB 311 and recognized the Senate sponsor, Senator Lucio, Jr., to explain the bill.

Senator Watson 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 Watson moved committee substitute be left pending; without objection, it was so ordered.

Senator Watson moved that HB 311 be left pending; without objection, it was so ordered.

The chair laid out HB 2424 and recognized Senator Huffines, 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 Watson moved that HB 2424 be left pending; without objection, it was so ordered.

The chair laid out HB 2489 and recognized Senator Huffines, 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 Watson moved that HB 2489 be left pending; without objection, it was so ordered.

The chair laid out HB 3342 and recognized Senator Huffines, in the absence of the Senate sponsor, to explain the bill.

Senator Watson sent up a committee substitute; the chair recognized Senator Huffines to explain the difference between the committee substitute and the house bill as engrossed. Senator Watson 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 Watson moved that HB 3342 be left pending; without objection, it was so ordered.

The chair laid out HB 3742 and recognized Senator Huffines, 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 Watson moved that HB 3742 be left pending; without objection, it was so ordered.

The chair laid out HB 3910 and recognized Senator Huffines, 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 Watson moved that HB 3910 be left pending; without objection, it was so ordered.

Senator Huffines assumed the chair.

The chair laid out HB 909 and recognized the Senate sponsor, 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 Huffines moved that HB 909 be left pending; without objection, it was so ordered.

Senator Watson resumed the chair.

The chair laid out HB 2296 and recognized Senator Huffines, 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 Watson moved that HB 2296 be left pending; without objection, it was so ordered.

The chair laid out HB 1514 and recognized Senator Huffines, 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 Watson moved that HB 1514 be left pending; without objection, it was so ordered.

The chair laid out HB 1832 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 Watson moved that HB 1832 be left pending; without objection, it was so ordered.

The chair laid out HB 2771 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 Watson moved that HB 2771 be left pending; without objection, it was so ordered.

There being no further business, at 10:26 AM Senator Watson moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

Pursuant to a motion made by Senator Eltife on the Senate floor to suspend Senate Rules 11.10 and 11.18, the Senate Committee on Business and Commerce reconvened at 4:55PM in E1.016.

The roll was called and a quorum was established.

The chair laid out as a matter of pending business HB 311.

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

Senator Taylor moved that HB 311 do not pass but that CSHB 311 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 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 574.

Senator Huffines moved that HB 574 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 Ellis and Senator Schwertner submitted motions 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 796.

Senator Taylor moved that HB 796 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 Ellis and Senator Schwertner submitted motions 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.

Senator Taylor moved that HB 1853 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 Ellis and Senator Schwertner submitted motions 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 1890.

Senator Watson moved that HB 1890 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 Ellis and Senator Schwertner submitted motions 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 1912.

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

Senator Taylor moved that HB 1912 do not pass but that CSHB 1912 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 Ellis and Senator Schwertner submitted motions in writing voting aye.

Senator Watson moved that the bill be recommended for placement on the Local & Uncontested Calendar; Senator Huffines objected and the bill was not placed on Local & Uncontested.

Senator Watson moved to reconsider the vote by which HB 1890 was sent to the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Taylor moved that HB 1890 not be placed on the Local & Uncontested Calendar.

The chair laid out as a matter of pending business HB 2066.

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

Senator Taylor moved that HB 2066 do not pass but that CSHB 2066 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 Ellis 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 2717.

Senator Watson moved that HB 2717 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 Ellis 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 2735.

Senator Huffines moved that HB 2735 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 Ellis 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 3132.

Senator Whitmire moved that HB 3132 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 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 1454.

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

Senator Whitmire moved that HB 1454 do not pass but that CSHB 1454 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 Schwertner 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 HB 2049 in lieu of SB 799.

Senator Taylor sent up a committee substitute; the chair recognized Senator Watson 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 Taylor moved that HB 2049 do not pass but that CSHB 2049 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.

The chair laid out HB 2358 in lieu of SB 1283.

Senator Whitmire moved that HB 2358 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 Ellis moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

The chair laid out HB 2466 in lieu of SB 1106.

Senator Taylor moved that HB 2466 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.

The chair laid out HB 2481 in lieu of SB 1443.

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

Senator Taylor moved that HB 2481 do not pass but that CSHB 2481 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 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 3091.

Senator Whitmire moved that HB 3091 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 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

Senator Huffines moved that HB 3315 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 Ellis moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered. HB 3315.

Senator Watson moved to reconsider the vote by which HB 574 was sent to the Local & Uncontested Calendar; without objection, it was so ordered.

Senator Watson moved that HB 574 not be placed on the Local & Uncontested Calendar.

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

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

Senator Watson moved that HB 3872 do not pass but that CSHB 3872 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, 1 present not voting, and 1 absent.

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 3342.

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

Senator Ellis moved that HB 3342 do not pass but that CSHB 3342 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 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 3742.

Senator Huffines moved that HB 3742 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 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 685.

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

Senator Watson moved that HB 685 do not pass but that CSHB 685 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 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 831.

Senator Ellis moved that HB 831 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 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 909.

Senator Ellis moved that HB 909 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 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 HB 2296.

Senator Watson moved that HB 2296 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 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 2771.

Senator Ellis moved that HB 2771 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 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 3014.

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

Senator Ellis moved that HB 3014 do not pass but that CSHB 3014 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 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 2424.

Senator Schwertner moved that HB 2424 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 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 1348.

Senator Taylor moved that HB 1348 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 Ellis moved that the bill be recommended for placement on the Local & Uncontested Calendar; without objection, it was so ordered.

There being no further business, 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