

## MINUTES

### SENATE COMMITTEE ON CRIMINAL JUSTICE

Tuesday, April 14, 2015  
1:30 PM or upon adjournment  
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 Criminal Justice was held on Tuesday, April 14, 2015, in the Capitol Extension, Room E1.016, at Austin, Texas.

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**MEMBERS PRESENT:**

Senator John Whitmire, Chair  
Senator Joan Huffman, Vice Chair  
Senator Konni Burton  
Senator Brandon Creighton  
Senator Juan Hinojosa  
Senator José Menéndez  
Senator Charles Perry

**MEMBERS ABSENT:**

None

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The chair called the meeting to order at 3:37 PM. There being a quorum present, the following business was transacted:

The following members arrived after the roll was called:

Senator Joan Huffman  
Senator Brandon Creighton  
Senator Charles Perry

The chair laid out as a matter of pending business SB 158 and recognized the author, Senator West, to explain the bill.

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

Senator Hinojosa moved that SB 158 do not pass but that CSSB 158 be reported back to the Senate with the recommendation that it do pass and be printed. The motion carried with a record vote of 4 ayes, 3 nays, 0 present not voting, and 0 absent.

The chair laid out SB 1853 and recognized the author, Senator Lucio, to explain the bill.

Senator Hinojosa sent up a committee substitute; the chair recognized Senator Lucio to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire 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. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent.

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

The chair laid out SB 2019 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. The motion carried with a record vote of 7 ayes, 0 nays, 0 present not voting, and 0 absent.

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

The chair laid out SB 662 and recognized the author, Senator

Senator Hinojosa sent up a committee substitute; the chair recognized Senator Rodríguez to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire 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 Hinojosa moved that SB 662 do not pass but that CSSB 662 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out SB 737 and recognized the author, Senator Rodríguez, to explain the bill.

Senator Whitmire sent up a committee substitute; the chair recognized Senator Rodríguez to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire 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 Hinojosa moved that SB 737 do not pass but that CSSB 737 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out SB 873 and recognized the author, Senator Rodríguez, to explain the bill.

Senator Whitmire sent up a committee substitute; the chair recognized Senator Rodríguez to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire 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 Hinojosa moved that SB 873 do not pass but that CSSB 873 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out SB 1149 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 Hinojosa moved that SB 1149 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, 0 present not voting, and 1 absent.

The chair laid out SB 1474 and recognized the author, Senator Garcia, to explain the bill.

At 4:26 PM Senator Hinojosa assumed the chair.

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

At 4:29 PM Senator Whitmire resumed the chair.

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 Hinojosa moved that SB 1474 do not pass but that CSSB 1474 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, 0 nays, 0 present not voting, and 1 absent.

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

The chair laid out SB 1838 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 Hinojosa moved that SB 1838 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, 0 present not voting, and 1 absent.

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

The chair laid out SB 1326 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 Menéndez moved that SB 1326 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, 0 present not voting, and 1 absent.

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

The chair laid out SB 1529 and recognized the author, Senator Burton, 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 Creighton moved that SB 1529 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, 0 present not voting, and 1 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 SB 1070 and recognized the author, Senator Hinojosa, to explain the bill.

Senator Whitmire sent up a committee substitute; the chair recognized Senator Hinojosa to explain the difference between the committee substitute and the senate bill as filed. Senator Whitmire 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 Hinojosa moved that SB 1070 do not pass but that CSSB 1070 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, 0 nays, 0 present not voting, and 1 absent.

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

At 5:10 PM Senator Hinojosa assumed the chair.

The chair laid out SB 418 and recognized the author, Senator Whitmire, to explain the bill.

Senator Whitmire sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted.

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 requested unanimous consent to incorporate the amendment into a committee substitute; without objection, it was so ordered. Senator Whitmire moved that SB 418 do not pass but that CSSB 418 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, 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 SB 107 and recognized the author, Senator Whitmire, 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 senate bill as filed. Senator Hinojosa 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 Whitmire moved that SB 107 do not pass but that CSSB 107 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, 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.

At 5:20 PM Senator Whitmire resumed the chair.

The chair laid out as a matter of pending business SB 1708 and recognized the author, Senator Huffman, to explain the bill.

Senator Huffman moved that SB 1708 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, 0 present not voting, and 1 absent.

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

At 5:22 PM Senator Hinojosa assumed the chair.

The chair laid out as a matter of pending business SB 746 and recognized the author, Senator Whitmire, 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 senate bill as filed. Senator Hinojosa moved adoption of the committee substitute; without objection, it was so ordered.

Senator Whitmire sent up Committee Amendment 1 and moved adoption; without objection, the amendment was adopted.

Senator Whitmire requested unanimous consent to incorporate the amendments into the bill to create a committee substitute; without objection, it was so ordered. Senator Hinojosa then moved that the committee substitute be adopted; without objection, it was so ordered.

Senator Whitmire moved that SB 746 do not pass but that CSSB 746 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, 0 nays, 0 present not voting, and 1 absent.

At 5:29 PM Senator Whitmire resumed the chair.

The chair laid out as a matter of pending business SB 888 and recognized the author, Senator Hinojosa, to explain the bill.

Senator Hinojosa moved that SB 888 do not pass but that CSSB 888 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, 1 nay, 0 present not voting, and 1 absent.

There being no further business, at 5:31 PM Senator Whitmire moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.

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Senator John Whitmire, Chair

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Jessie Cox, Clerk