

HOUSE

Committee on Criminal Jurisprudence
Old Supreme Court Room

April 15, 1981
2:20 p.m.

Public Notice having been posted on April 10, 1981 at 2:00 p.m., the Committee on Criminal Jurisprudence met on April 15, 1981 at 2:20 p.m. in the Old Supreme Court Room for a Public Hearing and was called to order by the Chairman, Mr. Nabers.

The roll was answered as follows:

Present: Nabers, Hernandez, Browder, Burnett, Smith, Waldrop (6)

Absent: Cofer, Hudson, Jones, Maloney, Uher (5)

A quorum was present.

H.B. 2063 by Khoury

The Chair laid out H.B. 2063 and recognized Mr. Khoury to explain it.

Mr. Uher now present.

The Chair recognized Felipe Reyna, Criminal D.A., McLennan County, Texas, representing himself, to speak for H.B. 2063.

The Chair recognized Mr. Khoury to close.

H.B. 879 by Blanton

The Chair laid out H.B. 879 and recognized Mr. Blanton to explain it.

The Chair recognized Janet Coplin, Administrative Assistant to Dallas County Commissioner, Dallas, representing the Dallas County Commissioners Court, to speak for H.B. 879.

Mr. Hudson now present.

The Chair recognized Walter Wiebusch, Lawyer, Houston, representing Harris County Criminal Courts at Law, to speak against H.B. 879.

The Chair recognized Mr. Blanton to close.

H.B. 1456 by Garcia, T.

The Chair laid out H.B. 1456 and recognized Mr. Garcia to explain it.

The Chair recognized Robert Hulen, Texas D.P.S. Safety Educator, Austin, representing D.P.S. to speak as a resource witness for H.B. 1456.

The Chair recognized Mr. Garcia to close.

H.B. 1359 by Smith

The Chair laid out H.B. 1359 and recognized Mr. Smith to explain it.

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The Chair recognized Mr. Ben Florey, Assistant County Attorney, Austin, representing the Travis County Attorney's Office, to speak for H.B. 1359.

The Chair recognized Mr. Smith to close.

Mr. Maloney now present.

H.B. 1356 by Smith

The Chair laid out H.B. 1356 and recognized Mr. Smith to explain it.

The Chair recognized Ben Florey, Assistant County Attorney, Austin, representing the Travis County Attorney's Office, to speak for H.B. 1356.

Mr. Jones now present.

H.B. 964 by Smith

The Chair laid out H.B. 964 and recognized Mr. Smith to explain it.

The Chair recognized Bob Burdette, Assistant D.A., Houston, representing the Harris County D.A.'s Office, to speak for H.B. 964.

The Chair recognized Mr. Smith to close.

H.B. 1683 by Smith

The Chair laid out H.B. 1683 and recognized Mr. Smith to explain it.

The Chair recognized Ben Floury, Assistant County Attorney, Austin, representing the Travis County Attorney's Office, to speak for H.B. 1683.

The Chair recognized Mr. Smith to close.

H.C.R. 119 by Laney

The Chair laid out H.C.R. 119 for consideration.

Mr. Nabers sent up Committee Amendment #1 and moved its adoption.

There being no objection, Committee Amendment #1 was adopted.

Mr. Burnett moved H.C.R. 119, as amended, be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #1) reflected as follows:

Ayes: Nabers, Burnett, Jones, Maloney, Smith, Waldrop (6)

Nays: None (0)



BEGINS AT THE
END OF TAPE I-A
& CONTINUES ONTO
TAPE I-B

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H.B. 2106 by Jones

The Chair laid out H.B. 2106 and recognized Mr. Jones to explain it.

The Chair recognized Mr. Jones to close.

H.B. 2107 by Jones

The Chair laid out H.B. 2107 and recognized Mr. Jones to explain it.

The Chair recognized Don Stiles, Executive Director, Adult Probation Commission, representing the Adult Probation Commission, to speak as a resource witness on H.B. 2107.

The Chair recognized Mr. Jones to close.

S.B. 556 by Mauzy (Nabers)

The Chair laid out S.B. 556 for consideration.

Mr. Maloney moved S.B. 556 be reported back to the full House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #2) reflected as follows:

Ayes: Nabers, Burnett, Jones, Maloney, Uher, Waldrop (6)

Nays: None (0)

S.B. 126 by Kothmann (Semos)

The Chair laid out S.B. 126 for consideration.

The Chair sent up a Committee Substitute and moved its adoption.

There being no objection, the committee substitute was adopted.

Mr. Jones moved S.B. 126, as substituted, be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #3) reflected as follows:

Ayes: Nabers, Burnett, Jones, Maloney, Uher, Waldrop (6)

Nays: None (0)

Present, not voting: Hernandez (1)



H.B. 1459 by Gibson

The Chair laid out H.B. 1459 and recognized Mr. Uher for a subcommittee report.

Mr. Nabers sent up Committee Amendment #1 and moved its adoption.

There being no objection, committee Amendment #1 was adopted.

Mr. Burnett moved H.B. 1459, as adopted, be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #4) reflected as follows:

Ayes: Nabers, Burnett, Jones, Maloney, Uher, Waldrop (6)

Nays: None (0)

Present, not voting: Hernandez (1)

H.B. 1892 by Hernandez (Posting rules suspended 4-15-81)

The Chair laid H.B. 1892 before the Committee and recognized Mr. Hernandez to explain it.

The Chair recognized Mr. Hernandez to close.

Mr. Hernandez moved H.B. 1892 be reported back to the House with a favorable recommendation and that it be placed on the Consent Calendar.

The motion prevailed in a roll call vote (Record Vote #5) reflected as follows:

Ayes: Nabers, Hernandez, Burnett, Jones, Maloney, Uher, Waldrop (7)

Nays: None (0)

H.B. 2153 by Nabers

The Chair laid out H.B. 2153 for consideration.

Mr. Nabers sent up a committee substitute and moved its adoption.

There being no objection, the committee substitute was adopted.

Mr. Nabers moved H.B. 2153, as substituted, be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #6) reflected as follows:



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Ayes: Nabers, Hernandez, Burnett, Jones, Maloney, Waldrop (6)

Nays: Uher (1)

H.B. 649 by Washington

The Chair laid out H.B. 649 for a subcommittee report.

The subcommittee report was a substitute for H.B. 649.

Mr. Jones sent up committee amendment #1 to the subcommittee report and moved its adoption.

There being no objection, it was so ordered.

Mr. Burnett moved the adoption of the subcommittee report, as amended.

There being no objection, the subcommittee report, as amended, was adopted.

Mr. Burnett moved H.B. 649, as substituted, be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #7) reflected as follows:

Ayes: Nabers, Hernandez, Burnett, Jones, Maloney, Uher, Waldrop (7)

Nays: None (0)

H.B. 361 by Rudd

The Chair laid out H.B. 361 for a subcommittee report.

Mr. Jones sent up a committee substitute for the subcommittee report and moved its adoption.

By a show of hands vote, the committee substitute was adopted.

Mr. Browder now present.

Mr. Jones moved H.B. 361, as substituted, be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #8) reflected as follows:

Ayes: Browder, Burnett, Jones, Maloney, Smith, Waldrop (6)

Nays: Hernandez (1)

Present, not voting: Nabers, Uher (2)

(ENDS AT THE VERY
END OF TAPE 1-B



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DISCUSSIONS OF SB 372 AND HB 1657
AS WELL AS THE BEGINNING OF HB 730
ARE NOT ON THE TAPES.

S.B. 372 by Glasgow (Jones)

The Chair laid out S.B. 372 for a subcommittee report.

Mr. Jones moved S.B. 372 be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #9) reflected as follows:

Ayes: Browder, Burnett, Jones, Maloney, Uher, Waldrop

(6) (THESE
(0) TWO BILLS
(3) WERE MISSED
ON THE
TAPE
TURN.)

Nays: None

Present, not voting: Nabers, Hernandez, Smith

H.B. 1657 by Hill

The Chair laid out H.B. 1657 which was pending before the Committee.

Mr. Browder moved H.B. 1657 be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #10) reflected as follows:

Ayes: Nabers, Hernandez, Browder, Burnett, Jones, Maloney, Smith,
Waldrop (8)

Nays: Uher (1)

TAPE 2, SIDE A OPENS WITH
REP. SMITH ALREADY DISCUSSING HB 730
(THE BEGINNING OF THE DISCUSSION WAS
MISSED ON THE TAPE TURN.)

H.B. 730 by Laney

The Chair laid out H.B. 730 and recognized Mr. Smith for a subcommittee report.

The subcommittee report was a substitute for H.B. 730.
Mr. Smith sent up a committee amendment to the subcommittee report and moved its adoption.

There being no objection, the amendment was adopted.

Mr. Smith moved the adoption of the subcommittee report, as amended.

There being no objection, the subcommittee report, as amended, was adopted.

Mr. Smith moved H.B. 730, as substituted, be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #11) reflected as follows:

Ayes: Nabers, Browder, Burnett, Hudson, Jones, Maloney, Smith, Uher,
Waldrop (9)



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Nays: None (0)
Present, not voting: Hernandez (1)

H.B. 912 by McFarland

The Chair laid out H.B. 912 and moved it be reported back to the House with a favorable recommendation.

The motion prevailed in a roll call vote (Record Vote #12) reflected as follows:

Ayes: Nabers, Browder, Burnett, Jones, Maloney, Smith, Uher, Waldrop (8)
Nays: Hernandez, Hudson (2)

Mr. Uher moved the Committee stand recessed subject to the call of the Chair.

There being no objection, the Committee recessed at 4:35 p.m.


LYNN NABERS, CHAIRMAN


Missy Jackson, Clerk

