

COMMITTEE ON JUDICIAL AFFAIRS
April 29, 1987 2:15 p.m.

Reagan, Room 105

Pursuant to public notice posted April 24, 1987, the Committee convened in a public hearing and was called to order by Chairman Hury.

Present: Hury, Rangel, Perry, Smithee, S. Thompson (5)
Absent: S. Hudson, G. Luna, Parker, Schoolcraft (4)

A quorum was present.

The Chair swore in all who wished to testify.

H.B. 517 by C. Harris

The Chair laid out H.B. 517 and recognized its author, Representative C. Harris to present the bill.

The following people testified in support of H.B. 517:

Ingrid Stromberg, Municipal Court Judge of Arlington
Johnny D. Brooks, Court Administrator for Arlington

The following people testified on H.B. 517:

Charles E. Smith, an attorney
Jim Lollar, an attorney

H.B. 517 was left as pending business.

H.B. 1311 by Burnett

The Chair laid out H.B. 1311 and recognized its author, Representative Burnett to present the bill.

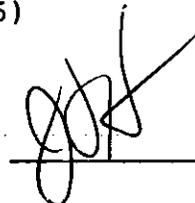
The following people registered their support of the bill, but did not testify:

Randol Stout, District Judge of the 340th District
Guy D. Choate, an attorney representing the Tom Green County Bar Association

The Chair recognized Mr. Perry who moved that H.B. 1311 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Smithee, Thompson (5)
Nays: (0)



H.B. 895/S.B. 64

The Chair laid out H.B. 895 and recognized its author, Representative Shelley to present the bill. The Senate companion was then laid out by the Chair, leaving H.B. 895 on the table.

Note: Parker present.

The Chair recognized Mr. Perry who moved that S.B. 64 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Parker, Smithee (5)

Nays: (0)

PNV: Thompson (1)

H.B. 2171 by Polumbo

The Chair laid out H.B. 2171 and recognized its author, Representative Polumbo to present the bill.

The Chair recognized Mr. Parker who offered Committee Amendment No. 1 and moved for its adoption. The motion prevailed without objection.

Mr. Parker moved that H.B. 2171, as amended, be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Parker, Smithee, Thompson (6)

Nays: (0)

H.B. 2345 by Whaley

The Chair laid out H.B. 2345 and recognized its author, Representative Whaley to present the bill.

The Chair recognized Ms. Thompson who moved that H.B. 2345 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Parker, Smithee, Thompson (6)

Nays: (0)

S.B. 659 by Green (Hackney)

The Chair laid out S.B. 659 and recognized its House Sponsor, Representative Hackney to present the bill.

A handwritten signature in black ink, appearing to be "J. Green", is written over a horizontal line.

The Chair recognized Mr. Parker who offered Committee Amendment No. 1 and moved its adoption. The motion prevailed without objection.

Mr. Parker moved that S.B. 659, as amended, be reported favorably to the House with the recommendation that it do pass and be placed on the Local Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Parker, Smithee, Thompson (6)

Nays: (0)

H.B. 1075 by Price

The Chair laid out H.B. 1075 and recognized its author, Representative Price to present the bill.

Note: Luna, Hudson, Schoolcraft present.

The following people testified in support of the bill:

Fred Fuchs, an attorney
George Stone, representing the Texas Tenants' Union
Sandy Rollins, representing the Texas Tenants' Union
Christopher Bjornson, representing the Texas Student Lobby

The following people testified in opposition to the bill:

Dick Covert, representing the Apartment Association of Greater Dallas
Linda Miller, representing the San Antonio Apartment Association
Robert D. Benson, representing the Austin Apartment Association
Larry Niemann, representing the Texas Apartment Association

The following people registered their opposition to the bill, but did not testify:

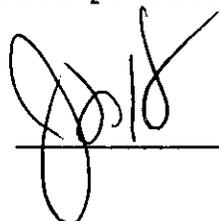
Gina Roberts, representing the San Antonio Apartment Association
Paula Snow, representing the San Antonio Apartment Association

The Chair recognized Ms. Rangel who offered Committee Amendment No. 1 and moved its adoption. The motion prevailed without objection.

Ms. Rangel offered Committee Amendment No. 2 and moved its adoption. The motion prevailed without objection.

Ms. Rangel offered Committee Amendment No. 3 and moved its adoption. The motion prevailed without objection.

The Chair recognized Ms. Thompson who moved that H.B. 1075 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

A handwritten signature in black ink, appearing to be "J. Price", written over a horizontal line.

H.B. 1534 by Watkins

The Chair laid out H.B. 1534 and recognized its author, Representative Watkins to present the bill.

H.B. 1534 was left as pending business.

H.B. 1778 by Aikins

The Chair laid out H.B. 1778 and recognized its author, Representative Aikin to present the bill.

H.B. 1778 was left as pending business.

H.C.R. 150 by Guerrero

The Chair laid out H.C.R. 150 and recognized its author, Representative Guerrero to present the bill.

H.C.R. 150 was left as pending business.

H.B. 2488 by Geistweidt

The Chair laid out H.B. 2488 and recognized its author, Representative Geistweidt to present the bill.

The Chair recognized Ms. Rangel who moved that H.B. 2488 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 2503 by Geistweidt

The Chair laid out H.B. 2503 and recognized its author, Representative Geistweidt to present the bill.

The Chair laid out C.S.H.B. 2503 offered by Mr. Schoolcraft. The Chair recognized Mr. Schoolcraft who moved that C.S.H.B. 2503 be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

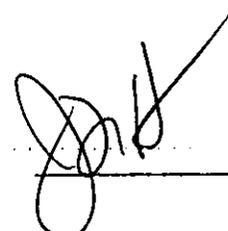
Ayes: Hury, Rangel, Luna, Schoolcraft, Smithee (5)
Nays: (0)
PNV: Thompson (1)

H.B. 1778 by Aikin

The Chair laid out H.B. 1778 and recognized Bill Lofland, County Judge of Rockwall County, to testify in opposition to the bill.

H.B. 1778 was left as pending business.

H.B. 1676 by Seidlits

A handwritten signature in black ink, appearing to be "J. Lofland", written over a horizontal line.

The Chair laid out H.B. 1676 and recognized its author, Representative Seidlits to present the bill.

H.B. 1676 was left as pending business.

S.B. 373 by Farabee (Seidlits)

The Chair laid out S.B. 373 and recognized its House Sponsor, Representative Seidlits to present the bill.

The Chair recognized Ms. Rangel who offered C.S.H.B. 373.

The Chair recognized Mr. Hudson who moved that C.S.H.B. 373 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Hudson, Schoolcraft, Smithee, Thompson (6)
Nays: (0)

H.B. 813 by Wright

The Chair laid out H.B. 813 and recognized Ms. Thompson to present the bill for the author.

Ms. Thompson moved that H.B. 813 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Hudson, Schoolcraft, Smithee, Thompson (6)
Nays: (0)

H.B. 2481 by P. Hill

The Chair laid out H.B. 2481 and recognized Representative P. Hill to present the bill. The Chair laid out C.S.H.B. 2481 offered by Ms. Thompson.

The Chair recognized Larry Niemann, representing the Texas Building Owners and Managers Association, to testify in support of the bill.

The Chair recognized Ms. Rangel who moved that H.B. 2481 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

S.B. 233 by Sarpalius (Staniswalis)

The Chair laid out S.B. 233 and moved that it be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

S.B. 157 by Anderson

A handwritten signature in black ink, appearing to be "J. Hill", written over a horizontal line.

The Chair laid out S.B. 157 and moved that it be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

S.B. 1024 by C. Parker (Stiles)

S.B. 1024 was left as pending business.

H.B. 2245 by Hury

The Chair laid out H.B. 2245 and recognized Bud Schuarte, representing the American General Companies, to testify in opposition to the bill.

H.B. 2245 was left as pending business.

S.B. 476 by Caperton (Hury)

The Chair laid out S.B. 476 and presented the bill to the Committee.

The Chair recognized Mr. Schoolcraft who moved that S.B. 476 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Hudson, Luna, Schoolcraft, Smithee (6)

Nays: (0)

PNV: Thompson (1)

S.B. 340 by Leedom (Wolens)

The Chair laid out S.B. 340 and recognized Mr. Luna. Mr. Luna offered Committee Amendment No. 1 and moved its adoption. The motion prevailed without objection.

Ron Kirk, representing the City of Dallas, registered his support of the bill, but did not testify.

Mr. Luna moved that S.B. 340, as amended, be reported favorably to the House with the recommendation that it do pass and be placed on the Local Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Hudson, Luna, Schoolcraft, Smithee, Thompson (7)

Nays: (0)

H.B. 1879 by C. Evans

The Chair laid out H.B. 1879 which was previously left as pending business.

The Chair recognized Mr. Luna who offered Committee Amendment No. 1 and moved its adoption. The motion prevailed without objection.



The Chair recognized Ms. Thompson who moved that H.B. 1879, as amended, be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Hudson, Luna, Schoolcraft, Smithee, Thompson (7)
Nays: (0)

S.B. 536 by Leedom (A. Hill)

The Chair laid out S.B. 536 which was previously left as pending business.

The Chair recognized Mr. Luna who offered Committee Amendment No. 1 and moved its adoption. The motion prevailed without objection.

Mr. Luna moved that S.B. 536, as amended, be reported favorably to the House with the recommendation that it do pass and be placed on the Local Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Luna, Schoolcraft, Smithee, Thompson (8)
Nays: (0)

H.B. 2190 by Marchant

The Chair laid out H.B. 2190 which was previously left as pending business.

The Chair recognized Mr. Luna who offered Committee Amendment No. 1 and moved its adoption. The motion prevailed without objection.

Mr. Luna moved that H.B. 2190, as amended, be reported favorably to the House with the recommendation that it do pass and be placed on the Local Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Luna, Schoolcraft, Smithee, Thompson (8)
Nays: (0)

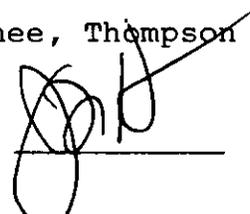
H.B. 505 by Gibson

The Chair laid out H.B. 505 which was previously left as pending business.

The Chair recognized Mr. Schoolcraft who moved that H.B. 505 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Schoolcraft, Smithee, Thompson (6)



Nays: (0)

H.B. 1356 by Cain

The Chair laid out H.B. 1356 which was previously left as pending business.

The Chair recognized Mr. Perry who moved that H.B. 1356 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Schoolcraft, Smithee, Thompson (6)

Nays: (0)

H.B. 1498/S.B. 1124

The Chair laid out H.B. 1498 and its Senate companion, S.B. 1124, which were previously left as pending business.

The Chair recognized Mr. Hudson who moved that H.B. 1498/S.B. 1125 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 1499/S.B. 1125

The Chair laid out H.B. 1499 and its Senate companion, S.B. 1125, which were previously left as pending business.

The Chair recognized Mr. Hudson who moved that H.B. 1499/S.B. 1125 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 1521 by Williamson

The Chair laid out H.B. 1521 which was left as pending business.

The Chair recognized Mr. Smithee who moved that H.B. 1521 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 1522 by Hury

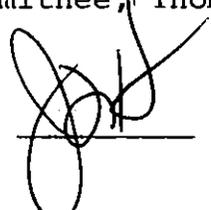
The Chair laid out H.B. 1522 which was previously left as pending business. Chairman Hury offered C.S.H.B. 1522.

The Chair recognized Ms. Thompson who moved that C.S.H.B. 1522 be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Hudson, Schoolcraft, Smithee, Thompson (6)

Nays: (0)

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H.B. 1529 by Cain

The Chair laid out H.B 1529 which was previously left as pending business.

The Chair moved that H.B. 1529 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 1562/S.B. 488

The Chair laid out H.B. 1562 and its Senate companion S.B. 488. The Chair moved that H.B. 1562/S.B. 488 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 1563/S.B. 489

The Chair laid out H.B. 1563 and its Senate companion S.B. 489. The Chair moved that H.B. 1563/S.B. 489 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 1618 by Grusendorf

The Chair laid out H.B. 1618 which was previously left as pending business. The Chair offered C.S.H.B. 1618. The Chair then moved that H.B. 1618 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 1666, H.B. 1667, H.B. 1687, H.B. 1688, H.B. 2340

The Chair moved that H.B. 1666, H.B. 1667, H.B. 1687, H.B. 1688, and H.B. 2340 be referred to a subcommittee to be named by the Chair. The motion prevailed without objection.

H.B. 1730 by O. Garcia

The Chair laid out H.B. 1730 which was previously left as pending business.

The Chair recognized Mr. Schoolcraft who offered a Committee Amendment.

H.B. 1730 was left as pending business.

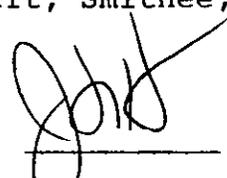
H.B. 1762 by Culberson

The Chair laid out H.B. 1762 which was previously left as pending business.

The Chair recognized Mr. Smithee who offered C.S.H.B. 1762. Mr. Smithee moved that C.S.H.B. 1762 be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)

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Nays: (0)

H.B. 2087 by Hury

The Chair laid out H.B. 2087 which was previously left as pending business.

The Chair recognized Ms. Rangel who moved that H.B. 2087 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Thompson (6)

Nays: (0)

H.B. 2245 by Hury

The Chair laid out H.B. 2245 which was previously left as pending business. The Chair offered C.S.H.B. 2245 and left the bill as pending business.

H.B. 2274 by Waterfield

The Chair laid out H.B. 2274 which was previously left as pending business.

The Chair recognized Mr. Smithee who moved that H.B. 2274 be reported favorably to the House with the recommendation that it do pass and be placed on the Local Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)

Nays: (0)

H.B. 2508 by R. Smith

The Chair laid out H.B. 2508 which was previously left as pending business.

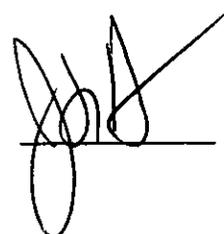
The Chair recognized Ms. Rangel who moved that H.B. 2508 be reported favorably to the House with the recommendation that it do pass and be placed on the Local Calendar.

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)

Nays: (0)

S.B. 1024 by C. Parker (Stiles)

The Chair laid out S.B. 1024.

A handwritten signature in black ink, appearing to be 'C. Parker', written over a horizontal line.

The Chair recognized Mr. Perry who moved that S.B. 1024 be reported favorably to the House with the recommendation that it do pass and be placed on the Consent Calendar.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee Thompson (7)
Nays: (0)

H.C.R. 142 by McWilliams

The Chair laid out H.C.R. 142.

The Chair recognized Mr. Perry who moved that H.C.R. 142 be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)
Nays: (0)

H.C.R. 146 by Arnold

The Chair laid out H.C.R. 146.

The Chair recognized Mr. Perry who moved that H.C.R. 146 be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)
Nays: (0)

H.C.R. 150 by Guerrero

The Chair laid out H.C.R. 150.

The Chair recognized Mr. Perry who moved that H.C.R. 150 be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

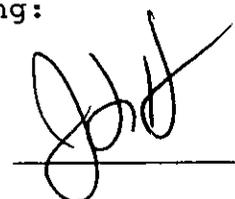
Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)
Nays: (0)

H.C.R. 151 by A. Moreno

The Chair laid out H.C.R. 151.

The Chair recognized Mr. Perry who moved that H.C.R. 151 be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

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Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)
Nays: (0)

H.C.R. 156 by Valigura

The Chair laid out H.C.R. 156.

The Chair recognized Mr. Perry who moved that H.C.R. 156 be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)
Nays: (0)

H.B. 1393 by Marchant

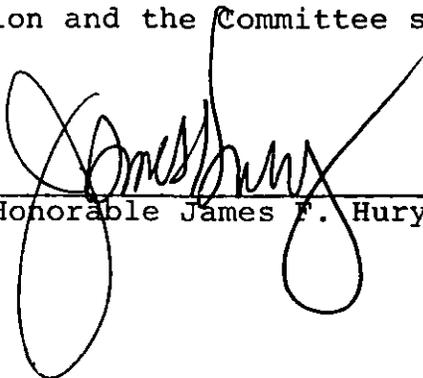
The Chair laid out H.B. 1393 and recognized Mr. Hudson to present the subcommittee report. Mr. Hudson offered C.S.H.B. 1393 and moved that it be reported favorably to the House with the recommendation that it do pass.

The motion prevailed by a roll call vote, reflecting:

Ayes: Hury, Rangel, Perry, Hudson, Schoolcraft, Smithee, Thompson (7)
Nays: (0)

Mr. Perry moved that the Committee stand recessed pending the call of the Chair.

The motion prevailed without objection and the Committee stood recessed at 6:00 p.m.



Honorable James F. Hury, Jr., Chair

Missy Warren, Committee Clerk

COMMITTEE TAPE LOG

Committee: Judicial Affairs
 Subcommittee:

Location: Room 105

Date: 4/29/87

Tape #	Side #	Bill #	Witness/Action	Remarks
1	1	HB 517	Chris Harris. Author	
		HB 1311	Pournett. Author	passed out
		HB 895	Shelley. Author	
		SB 64	Shelley →	passed out
		HB 2171	Polumbo. Author	passed out w/Amendment
		HB 2345	Whaley. Author	
		SB 659	Hackney. House sponsor	passed w/Amendment
		HB 1075	Price. Author	Subcommittee
		"	Fred Fikes. witness	for
		"	George Stone. witness	for
1	2	"	Sandy Rollins. witness	for
		"	Chris Bjornson. witness	for
		"	Dick Court	against
		"	Linda Miller	against
		"	Bob Benson	against
		"	My. Neman	against
		HB 1534	Watkins. Author	

COMMITTEE TAPE LOG

Committee: <i>Judicial Affairs</i>		Location:		Date: <i>4/29/87</i>
Tape #	Side #	Bill #	Witness/Action	Remarks
1		HB 150		
1	2	HR 150	Guerrero . Author	
1	2	HB 2488	Geistweidt . Author	Subcomm.
1	2	HB 2903	Geistweidt . Author	passed out w/amendment
2	1	"	"	
		HB 1778	Aikin . Author	
		"	Judge Laughlin	passed
		HB 1676	Seidlitz . Author	on table
		CS SB 373	Seidlitz . House Sponsor	passed
		HB 813	S. Thompson (laying out for Wright)	passed
		CS HB 2401	P. Hill . Author	
		"	Mr. Neuman	witness
2	2	HB 2245	Mr. Schoerte	against
		SB 476	Hury . House sponsor	passed
		SB 340	G. Lutz . (laid out for Wolens)	passed w/amendment
		HB 1879	C. Evans	passed w/amendment
		SB 536	A. Hill	passed

RETURN THIS FORM WITH THE TAPES TO THE COMMITTEE COORDINATOR.

COMMITTEE TAPE LOG

Committee: Jud. Affairs Location: Regan 105 Date: 4/29/87
 Subcommittee:

Tape #	Side #	Bill #	Witness/Action	Remarks
2	2	HB 2190		passed w/ amendment
		HB 506		passed
		HB 1356		passed
		HR 146	Bill Arnold. Author	
		HB 1498		
		HB 1498 / SB 1124		sent to subcommittee
		HB 1499 / SB 1125		"
		HB 1521		sent to subcommittee
		CSHB 1522		passed
		HB 1529		subcommittee
		HB 1562 / SB 488		subcommittee
		HB 1563 / SB 489		"
		CSHB 1618		subcommittee
		HB 1666		
		HB 1667		
		HB 1687		
		HB 1688		

RETURN THIS FORM WITH THE TAPES TO THE COMMITTEE COORDINATOR.

COMMITTEE TAPE LOG

Committee: *Judicial Affairs*
 Subcommittee:

Location: *Reagan 105*

Date: *4/29/87*

Tape #	Side #	Bill #	Witness/Action	Remarks
<i>2</i>	<i>2</i>	<i>HB 1730</i>		
<i>3</i>	<i>1</i>	<i>11</i>		<i>pending</i>
		<i>CSHB 1762</i>		<i>passed</i>
		<i>HB 2034</i>		<i>pending</i>
		<i>HB 2087</i>		<i>passed</i>
		<i>CSHB 2245</i>		<i>pending</i>
		<i>HB 2274</i>		<i>passed</i>
		<i>HB 2501</i>		<i>passed</i>
		<i>SB 1024</i>	<i>C. Parker</i>	<i>passed</i>
		<i>HJR 142</i>	<i>McWilliams</i>	<i>passed</i>
		<i>HJR 146</i>	<i>B. Arnold</i>	<i>passed</i>
		<i>HJR 150</i>	<i>Guerrero</i>	<i>passed</i>
		<i>HJR 151</i>	<i>A. Marino</i>	<i>passed</i>
		<i>HJR 156</i>	<i>Valiquera</i>	<i>passed</i>
		<i>HB 627</i>	<i>P. Hill</i>	<i>pending</i>
		<i>CSHB 1393</i>		

RETURN THIS FORM WITH THE TAPES TO THE COMMITTEE COORDINATOR.