

The House Committee on Judicial Affairs

77th Legislature

March 19, 2001

2:00 p.m. or upon final adjourn./recess

Capitol Extension, E2.028

Pursuant to a notice posted on March 13, 2001 and a revised notice posted on March 14, 2001, the House Committee on Judicial Affairs met in a public hearing and was called to order by the chair, Representative Thompson, at 2:13 p.m.

The roll was answered as follows:

Present: Representatives Thompson; Hartnett; Capelo; Deshotel; Talton; Uresti (6).

Absent: Representatives Garcia; Hinojosa; Solis, Jim (3).

A quorum was present.

HB 950, HB 689, HB 898, HB 1117, HB 1233

The chair recalled HB 950, HB 689, HB 898, HB 1117, HB 1233 from subcommittee.

HB 2111

The chair laid out HB 2111.

The chair recognized Representative Gallego to explain the measure.

Representative Deshotel moved that HB 2111, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Thompson; Hartnett; Capelo; Deshotel; Talton; Uresti (6).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representatives Garcia; Hinojosa; Solis, Jim (3).

(Representative Hartnett in chair.)

HB 2096

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The chair laid out HB 2096.

The chair recognized Representative Goodman to explain the measure.

(Representative Solis, Jim now present.)

The chair recognized Representative Goodman to close on the measure.

(Representative Garcia now present.)

Representative Uresti moved that HB 2096, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Hartnett; Deshotel; Garcia; Solis, Jim; Talton; Uresti (6).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representatives Thompson; Capelo; Hinojosa (3).

HB 1394

The chair laid out HB 1394.

The chair recognized Representative Berman to explain the measure.

There being no witnesses, the chair recognized Representative Berman to close on the measure.

Representative Deshotel moved that HB 1394, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Hartnett; Deshotel; Garcia; Solis, Jim; Talton; Uresti (6).

Nays: None (0).

Present, Not Voting: None (0).

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Absent: Representatives Thompson; Capelo; Hinojosa (3).

HB 1765

The chair laid out HB 1765.

The chair recognized Representative Turner, Bob to explain the measure.

There being no witnesses, the chair recognized Representative Turner, Bob to close on the measure.

Representative Deshotel moved that HB 1765, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Hartnett; Deshotel; Garcia; Solis, Jim; Talton; Uresti (6).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representatives Thompson; Capelo; Hinojosa (3).

HB 1048

The chair laid out HB 1048.

The chair recognized Representative Solomons to explain the measure.

There being no witnesses, The chair recognized Representative Solomons to close on the measure.

The bill was left pending without objection.

HB 177

The chair laid out HB 177.

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The chair recognized Representative Luna, Vilma to explain the measure.

Testimony was taken. (See attached witness list.)

The chair recognized Representative Luna, Vilma to close on the measure.

Representative Solis, Jim moved that HB 177, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Hartnett; Deshotel; Garcia; Solis, Jim; Talton; Uresti (6).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representatives Thompson; Capelo; Hinojosa (3).

HB 178

The chair laid out HB 178.

The chair recognized Representative Luna, Vilma to explain the measure.

Testimony was taken. (See attached witness list.)

The chair recognized Representative Luna, Vilma to close on the measure.

Representative Uresti moved that HB 178, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Hartnett; Deshotel; Garcia; Solis, Jim; Talton; Uresti (6).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representatives Thompson; Capelo; Hinojosa (3).

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HB 387

The chair laid out HB 387.

The chair recognized Representative Luna, Vilma to explain the measure.

Testimony was taken. (See attached witness list.)

The chair recognized Representative Luna, Vilma to close on the measure.

The bill was left pending without objection.

HB 950

The chair laid out HB 950 and recognized Representative Garcia to explain the measure.

Representative Garcia offered a complete committee substitute and explained.

Testimony was taken. (See attached witness list.)

The chair recognized Representative Garcia to close on the measure.

The committee substitute was withdrawn without objection.

The bill was left pending without objection.

(Representative Thompson in chair.)

HB 1420

The chair laid out HB 1420.

The chair recognized Representative Jones, Jesse to explain the measure.

Representative Thompson offered a complete committee substitute and recognized Rep. Jones, Jesse to explain.

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Testimony was taken. (See attached witness list.)

(Representative Hinojosa now present.)

The chair recognized Representative Jones, Jesse to close on the measure.

The committee substitute was withdrawn without objection.

The bill was left pending without objection.

(Representative Hartnett in chair.)

HB 898

The chair laid out HB 898.

Representative Hartnett offered a complete committee substitute and recognized Representative Thompson to explain.

Testimony was taken. (See attached witness list.)

The committee substitute was adopted without objection.

Representative Talton moved that HB 898, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Thompson; Hartnett; Capelo; Garcia; Hinojosa; Solis, Jim; Talton; Uresti (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Deshotel (1).

HB 1883

The chair laid out HB 1883.

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The chair recognized Representative Thompson to explain the measure.

Testimony was taken. (See attached witness list.)

The bill was left pending without objection.

HB 1884, HB 2300

The chair laid out HB 1884 and HB 2300.

Representative Deshotel offered complete committee substitutes to HB 1884 and HB 2300 and recognized Representative Thompson to explain.

Testimony was taken on HB 1884, CSHB 1884, HB 2300 and CSHB 2300. (See attached witness list.)

The committee substitute to HB 1884 was adopted without objection.

The committee substitute to HB 2300 was adopted without objection.

Representative Hinojosa moved that HB 1884, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Thompson; Hartnett; Capelo; Deshotel; Garcia; Hinojosa; Solis, Jim; Uresti (8).

Nays: None (0).

Present, Not Voting: Representative Talton (1).

Absent: None (0).

Representative Hinojosa moved that HB 2300, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Thompson; Hartnett; Capelo; Deshotel; Garcia; Hinojosa; Solis, Jim; Uresti (8).

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Nays: None (0).

Present, Not Voting: Representative Talton (1).

Absent: None (0).

(Representative Thompson in chair.)

HB 1233

The chair laid out HB 1233.

The chair recognized Representative Naishtat to explain the measure.

Testimony was taken. (See attached witness list.)

Representative Deshotel moved that HB 1233, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Thompson; Hartnett; Capelo; Deshotel; Garcia; Solis, Jim; Talton; Uresti (8).

Nays: None (0).

Present, Not Voting: None (0).

Absent: Representative Hinojosa (1).

HB 546

The chair laid out HB 546 as pending business.

Representative Deshotel offered a complete committee substitute.

The committee substitute was adopted without objection.

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Representative Capelo moved that HB 546, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Thompson; Capelo; Deshotel; Garcia; Hinojosa; Solis, Jim; Uresti (7).

Nays: Representative Talton (1).

Present, Not Voting: Representative Hartnett (1).

Absent: None (0).

(Representative Hartnett in chair.)

HB 689

The chair laid out HB 689 as pending business.

Representative Hartnett offered a complete committee substitute and explained.

The committee substitute was adopted without objection.

Representative Uresti moved that HB 689, as substituted, be reported favorably to the full house with the recommendation that it do pass and be printed and be sent to the Committee on Local and Consent Calendars. The motion prevailed by the following record vote:

Ayes: Representatives Thompson; Hartnett; Capelo; Deshotel; Garcia; Hinojosa; Solis, Jim; Talton; Uresti (9).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

(Representative Thompson in chair.)

HB 1117

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The chair laid out HB 1117 as pending business and explained.

Representative Deshotel moved that HB 1117, without amendments, be reported favorably to the full house with the recommendation that it do pass and be printed. The motion prevailed by the following record vote:

Ayes: Representatives Thompson; Hartnett; Capelo; Deshotel; Garcia; Hinojosa; Solis, Jim; Talton; Uresti (9).

Nays: None (0).

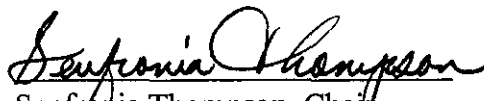
Present, Not Voting: None (0).

Absent: None (0).

The chair referred the following bills directly to the Subcommittee on District Courts, chaired by Representative Thompson; members: Hartnett; Capelo, Deshotel; Hinojosa:

HB 3295 by Representative Maxey
HB 2472 by Representative Homer
HB 2960 by Representative Williams

There being no further business, the chair moved that the committee stand adjourned. There being no objection, the Committee on Judicial Affairs adjourned at 4:24 p.m.


Senfronia Thompson, Chair


Milda Mora, Chief Clerk

WITNESS LIST

Judicial Affairs Committee
March 19, 2001 - 2:00PM or upon final adjourn./recess

HB 177

For: Biddle, Michael (Nueces County)
Little, Tyner (Nueces County)

Registering, but not testifying:

For: Williams, John (Justice of the Peace & Constables Ass'n)

HB 178

For: de Leon, Yolanda (Self)
Cole, Tim (Self)
Macha, Barry (Self)

Registering, but not testifying:

For: Noll, Chuck (Harris County District Attorney's Office)

HB 387

For: Wilkinson, Melody (Self)

Registering, but not testifying:

On: Pierce, Frank (Office of the Attorney General)

HB 898

For: Rothermel, John (Stewart Title)

Registering, but not testifying:

For: Hooser, Greg (Texas Land Title Ass'n)
Jones, Jerry (Self and Texas Academy of Probate Attorneys)
Lee, Randy M. (Stewart Title Guaranty Co.)

HB 898 - Committee Substitute (Hinojosa/CSHB 898)

For: Herman, Judge Guy (Statutory Probate Courts of Texas)

HB 950

For: Coronado, Judge Jim (Self)
Noll, Chuck (Harris County District Attorney)

Registering, but not testifying:

For: Hampton, Karen S. (Texas Criminal Defense Lawyers Ass'n)
Montford McCracken, Mindy (Travis County District Attorney's Office)

HB 1048

Registering, but not testifying:

On: Joyner, Guy (Office of the Secretary of State)
Mauzy, Renee (Department of Information Resources)

HB 1233

For: Herman, Judge Guy (Self and Statutory Probate Courts of Texas)

Registering, but not testifying:

For: Green, Deborah (Judge Guy Herman/Statutory Probate Judges of Texas)

HB 1420

For: Bower, Bruce P. (Texas Legal Services Center)

Curme, Roger (Legal Hotline for Older Texans/Texas Legal Services Center)

HB 1420 - Committee Substitute (Thompson/CSHB 1420)

For: Herman, Judge Guy (Statutory Probate Judges of Texas)
On: Ferris, Kay (Self)
Jones, Jerry (Self and Texas Academy of Probate Attorneys)

HB 1883

Against: Jones, Jerry (Self and Texas Academy of Probate Attorneys)
On: Herman, Judge Guy (Self)

HB 1884

For: Griffiss, Sherry (Self and County & District Clerks Ass'n)
Registering, but not testifying:
For: Allison, Jim (County Judges & Commissioners of Texas)
Barbour, Robert (Harris County District Clerk)
Sims, Randy (County Judges & Commissioners Ass'n/Brazos County)

HB 1884 - Committee Substitute (Hinojosa/CSHB 1884)

For: Ramsey, Mike (Self and Texas Trial Lawyers Ass'n)

HB 2300

For: Hogan, Jim (Texas Ass'n of County Court at Law Judges)
Owens, Judge Mack (Self)
Registering, but not testifying:
For: Allison, Jim (County Judges & Commissioners Ass'n)
Bacus, Judge Thomas H. (Self)
Brunson, Jeane (Self and Texas County & District Clerks Ass'n)
Chiuminatto, Judge Martin (Self)
Hodges, Judge David (Self)
Nabers, Lynn (Alliance for Judicial Funding)
Roberts, Judge Penny (Self)
Sims, Randy (County Judges & Commissioners Ass'n/Brazos County)

HB 2300 - Committee Substitute (Deshotel/CSHB 2300)

For: Ramsey, Mike (Self and Texas Trial Lawyers Ass'n)

COMMITTEE TAPE LOG

COMMITTEE ON: JUDICIAL AFFAIRS

DATE: 3/19/01

SUBCOMMITTEE:

LOCATION: E2.028

| TAPE #: | SIDE: | BILL #: | WITNESS/REPRESENTATIVE: | REMARKS: |
|---------|-------|---------|-------------------------|-----------------|
| 1 | A | HB 2111 | Rep. Gallego | For, to explain |
| 1 | A | HB 2096 | Rep. Goodman | For, to explain |
| 1 | A | HB 1394 | Rep. Berman | For, to explain |
| 1 | A | HB 1765 | Rep. Turner | For, to explain |
| 1 | A | HB 1048 | Rep. Solomons | For, to explain |
| 1 | A | HB 177 | Rep. Luna | For, to explain |
| 1 | A | HB 177 | Michael Bittle | For |
| 1 | A | HB 177 | Tyner Little | For |
| 1 | A | HB 178 | Rep. Luna | For, to explain |
| 1 | A | HB 178 | Tim Cole | For |
| 1 | A | HB 178 | Yolanda DeLeon | For |
| 1 | A | HB 178 | Barry Macha | For |
| 1 | A | HB 387 | Rep. Luna | For, to explain |
| 1 | A | HB 387 | Melody Wilkerson | For |

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3/20/01

COMMITTEE TAPE LOG

COMMITTEE ON: JUDICIAL AFFAIRS

DATE: 3/19/01

SUBCOMMITTEE:

LOCATION: E2.028

| TAPE #: | SIDE: | BILL #: | WITNESS/REPRESENTATIVE: | REMARKS: |
|---------|-------|---------|---|------------------|
| 1 | A | HB 950 | Frank Rep. Garcia | For, to explain |
| 1 | A | HB 950 | Jdg. Jim Coronado | For |
| 1 | A/B | HB 950 | Chuck Nole | For |
| 1 | B | HB 1420 | Rep. Jones | For, to explain |
| 1 | B | HB 1420 | Bruce Bower | For |
| 1 | B | HB 1420 | Roger Curme | For |
| 1 | B | HB 1420 | Jerry Jones Jdg. ^{Guy} Aterman | For |
| 1 | B | HB 1420 | Jerry Jones | For |
| 1 | B | HB 1420 | Kate Ferris | For |
| 1 | B | HB 898 | Rep. Thompson | For |
| 1 | B | HB 898 | Guy Herman | For |
| 1 | B | HB 898 | John Rutherford | For |
| 1 | B | HB 1883 | Rep. Thompson | For |
| 1 | B/2A | HB 1883 | Jerry Jones | For ? |

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COMMITTEE TAPE LOG

COMMITTEE ON: JUDICIAL AFFAIRS

DATE: 3/19/01

SUBCOMMITTEE:

LOCATION: E2.028

| TAPE #: | SIDE: | BILL #: | WITNESS/REPRESENTATIVE: | REMARKS: |
|---------|-------|---------------|-------------------------|-------------------|
| 2 | A | HB 1883 | Jdg Guy Herman | Neutral; Resource |
| 2 | A | HB 1884, 2300 | Rep. Thompson | For |
| 2 | A | HB 2300 | Brete Anderson | For |
| 2 | A | HB 1884 | Sherry Griffiths | For |
| 2 | A | HB 1884, 2300 | Mike Ramsey | For |
| 2 | A | HB 2300 | Judge Jim Hogan | For |
| 2 | A | HB 2300 | Mark Owens | For |
| 2 | A | HB 1233 | Rep. Naishtat | For |
| 2 | A | HB 1233 | Guy Herman | For |
| 2 | A | HB 546 | Rep. Deshotel | For |
| 2 | A | HB 689 | | |
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