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2011: Mar 14

## **The House Committee on Judiciary & Civil Jurisprudence**

82nd Legislature

March 14, 2011

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

E2.010

Pursuant to a notice posted on March 9, 2011, revised on March 9, 2011, and pursuant to an announcement on the House floor and a suspension of the 5 day posting rule on March 14, 2011 for HB 7, the House Committee on Judiciary & Civil Jurisprudence met in a public hearing and was called to order by the chair, Representative Jackson, Jim, at 2:15 p.m.

The initial quorum call was answered as follows: Representatives Jackson, Jim; Lewis; Davis, Sarah; Madden; Raymond; and Scott.

A quorum was present.

2011 MAR 17 PM 4:50  
HOUSE OF REPRESENTATIVES

**House Committee on Judiciary & Civil Jurisprudence**

3/14/2011

**HB 1209**

The chair laid out HB 1209.

The chair recognized Representative Taylor, Larry to explain HB 1209.

Testimony taken/registration recorded. (See attached witness list.)

The chair closed on HB 1209.

HB 1209 was left pending without objection.

(Representative Bohac now present.)

**HB 1438**

The chair laid out HB 1438.

The chair recognized Representative Lewis to explain HB 1438.

(Representative Woolley now present.)

(Representative Castro now present.)

(Representative Hartnett now present.)

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Lewis to close on HB 1438.

HB 1438 was left pending without objection.

**HB 627**

The chair laid out HB 627.

The chair recognized Representative Woolley to explain HB 627.

Testimony taken/registration recorded. (See attached witness list.)

(Representative Thompson now present.)

The chair recognized Representative Woolley to close on HB 627.

HB 627 was left pending without objection.

**HB 7**

The chair laid out HB 7.

The chair recognized Representative Thompson to explain HB 7.

The chair offered an amendment to the measure.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Thompson to close on HB 7.

The amendment was adopted without objection.

Representative Madden moved that HB 7, as amended, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah;  
Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

Representative Thompson moved to reconsider the vote by which the measure was reported from committee. The motion to reconsider prevailed without objection.

Representative Madden moved that HB 7, as amended, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah;  
Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

**HB 149**

The chair laid out HB 149 as pending business.

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Representative Hartnett moved that HB 149, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah; Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

(Representative Lewis in chair.)

**HB 289**

The chair laid out HB 289 as pending business.

Representative Thompson moved that HB 289, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah; Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

(Representative Jackson, Jim in chair.)

**HB 345**

The chair laid out HB 345 as pending business.

Representative Bohac moved that HB 345, 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 Jackson, Jim; Lewis; Bohac; Davis, Sarah; Hartnett; Madden; Raymond; Scott; Thompson; Woolley (10).

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Nays: None (0).

Present, Not Voting: Representative Castro (1).

Absent: None (0).

**HB 372**

The chair laid out HB 372 as pending business.

Representative Lewis moved that HB 372, 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 Jackson, Jim; Lewis; Bohac; Hartnett; Madden; Raymond; Thompson; Woolley (8).

Nays: Representatives Castro; Davis, Sarah; Scott (3).

Present, Not Voting: None (0).

Absent: None (0).

**HB 713**

The chair laid out HB 713 as pending business.

Representative Raymond moved that HB 713, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah; Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

**HB 904**

The chair laid out HB 904 as pending business.

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Representative Raymond moved that HB 904, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah; Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

### **HB 905**

The chair laid out HB 905 as pending business.

Representative Davis, Sarah moved that HB 905, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah; Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

### **HB 984**

The chair laid out HB 984 as pending business.

Representative Thompson moved that HB 984, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah; Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

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**HB 1404**

The chair laid out HB 1404 as pending business.

Representative Hartnett moved that HB 1404, 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 Jackson, Jim; Lewis; Bohac; Castro; Davis, Sarah; Hartnett; Madden; Raymond; Scott; Thompson; Woolley (11).

Nays: None (0).

Present, Not Voting: None (0).

Absent: None (0).

**HB 417**

The chair laid out HB 417.

Representative Castro offered a complete committee substitute.

The chair recognized Representative Anchia to explain HB 417.

(Representative Lewis in chair.)

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Anchia to close on HB 417.

(Representative Jackson, Jim in chair.)

The committee substitute was withdrawn without objection.

HB 417 was left pending without objection.

**HB 942**

The chair laid out HB 942.

The chair recognized Representative Dukes to explain HB 942.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Dukes to close on HB 942.

HB 942 was left pending without objection.

**HB 435**

The chair laid out HB 435.

The chair recognized Representative Parker to explain HB 435.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Parker to close on HB 435.

HB 435 was left pending without objection.

**HB 436**

The chair laid out HB 436.

The chair recognized Representative Parker to explain HB 436.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Parker to close on HB 436.

HB 436 was left pending without objection.

**HB 835**

The chair laid out HB 835.

The chair recognized Representative Parker to explain HB 835.

Representative Madden offered a complete committee substitute.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Parker to close on HB 835.

The committee substitute was withdrawn without objection.

HB 835 was left pending without objection.

**HB 901**



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The chair laid out HB 901.

The chair recognized Representative Thompson to explain HB 901.

Representative Madden offered a complete committee substitute.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Thompson to close on HB 901.

The committee substitute was withdrawn without objection.

HB 901 was left pending without objection.

### **HB 906**

The chair laid out HB 906.

The chair recognized Representative Thompson to explain HB 906.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Thompson to close on HB 906.

HB 906 was left pending without objection.

### **HB 909**

The chair laid out HB 909.

The chair recognized Representative Thompson to explain HB 909.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Thompson to close on HB 909.

HB 909 was left pending without objection.

(Representative Thompson in chair.)

### **HB 1674**

The chair laid out HB 1674.

The chair recognized Representative Jackson, Jim to explain HB 1674.

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Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Jackson, Jim to close on HB 1674.

HB 1674 was left pending without objection.

**HB 1970**

The chair laid out HB 1970.

The chair recognized Representative Jackson, Jim to explain HB 1970.

Testimony taken/registration recorded. (See attached witness list.)

The chair recognized Representative Jackson, Jim to close on HB 1970.

HB 1970 was left pending without objection.

**HB 1325**

The chair laid out HB 1325.

The chair recognized Representative Hartnett to explain HB 1325.

Representative Madden offered a complete committee substitute.

(Representative Jackson, Jim in chair.)

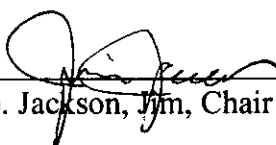
Testimony taken/registration recorded. (See attached witness list.)

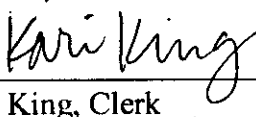
The chair recognized Representative Hartnett to close on HB 1325.

The committee substitute was withdrawn without objection.

HB 1325 was left pending without objection.

At 6:52 p.m., on the motion of the chair and without objection, the meeting was adjourned subject to the call of the chair.

  
Rep. Jackson, Jim, Chair

  
Kari King, Clerk

WITNESS LIST

Judiciary & Civil Jurisprudence Committee

March 14, 2011 - 2:00 PM or upon final adjourn./recess

HB 7

For:

Kimball, Mandi (Children at Risk)

Melton, Kirsta (Bexar County District Attorney, Susan D. Reed)

On:

Boatright, David (Office of the Attorney General)

Busch Armendariz, Noel (Self)

Registering, but not testifying:

For:

Davila, Darrell (Tarrant County District Attorney)

Session, Daphne (Myself as the Houston County Attorney)

Waldon, Barbara (Refuge of Light Organization)

Ware, Michael (Dallas County District Attorney)

On:

Fowler, Abbey (Office of the Attorney General)

HB 417

Against:

Henson, Scott (Self; Innocence Project of Texas; Kevin Glasheen)

Registering, but not testifying:

For:

Houston, Joshua (Texas Impact)

Parker, Brad (TTLA)

HB 435

For:

Cox, Heidi Bruegel (Self; Adoption Review Committee)

Against:

Burstain, Jane (Center for Public Policy Priorities)

On:

Amberboy, Tina (Supreme Court Childrens Commission)

Page, Beth (Department of Family & Protective Services)

HB 436

For:

Cox, Heidi Bruegel (Self; Adoption Review Committee)

Against:

Burstain, Jane (Center for Public Policy Priorities)

Flores, Susie (Self)

WITNESS LIST

Against:

Moreno, Dennis (Self)  
Moreno, Mary (Self)

On:

Amberboy, Tina (Supreme Court Children's Commission)  
Kromrei, Liz (Department of Family & Protective Services)  
Sampson, John J (Self)

Registering, but not testifying:

For:

Noble, Shannon (Texas Alliance of Child & Family Services)

Against:

Martinez, Diana (Tex Protects, The Texas Asso. For the Protection of Children)

HB 627

For:

Daniel, Chris (Self; Harris County District Clerk)  
Martinez, Farrah (Harris County District Clerk)

Against:

Elkins, Keith (Freedom of Information Foundation of Texas)  
Kildow, Randy (Texas Assoc of Licensed Investigators)  
Molinare, Larry (Texas Land Title Association)

Registering, but not testifying:

For:

Bloodsworth, Cindy (Texas Conference of Urban Counties)  
Haggerty, Pat (Center Point Energy)

Against:

Schneider, Michael (Texas Assoc. of Broadcasters)  
Whalen, Ken (TX Daily Newspaper Association; TX Press Association)

HB 835

For:

Cox, Heidi Bruegel (Self; Adoption Review Committee)

Against:

Cruz, Raul (Self; Parental Rights U.S.A.)  
Hastings, Paul (Texas Home School Coalition)  
Moreno, Dennis (Self)  
Moreno, Jesse (Self)  
Moreno, Mary (Self)  
Susie, Flores (Self; Parental Rights U.S.A.)

On:

Bresnen, Steve (Texas Family Law Foundation)  
Kromrei, Liz (Department of Family & Protective Services)

WITNESS LIST

On:

Sampson, John J (Self)

Registering, but not testifying:

For:

Shannon, Noble (Texas Alliance of Child & Family Services)

HB 901

For:

Bradshaw, Charla (Texas Family Law Foundation)

Registering, but not testifying:

For:

Bresnen, Steve (Texas Family Law Foundation)

HB 906

For:

Willis, David (Texas Family Law Foundation)

Registering, but not testifying:

For:

Bresnen, Steve (Texas Family Law Foundation)

Pardue, Craig (Dallas County)

HB 909

For:

Webb, Brian (TX Family Law Foundation)

Registering, but not testifying:

For:

Bresnen, Steve (Texas Family Law Foundation)

HB 942

On:

Callaghan, Carole (Self)

Registering, but not testifying:

For:

Shields, Julie (Texas Association of School Boards)

HB 1209

For:

Craft, Lon (Texas Municipal Police Assoc)

Jones, Chris (Combined Law Enforcement Associations of Texas; Peace Officers Memorial Foundation)

Sullivan, Kimberly (Rep Larry Taylor)

WITNESS LIST

Registering, but not testifying:

For:

Blocker, Trey (State Firemen's and Fire Marshals' Association)  
Bresnen, Steve (Texas State Assoc. of Fire Fighters)  
Elkin, Bill (Houston Police Retired Officers Association)  
Wynn, Monty (Texas Municipal League)

HB 1325

For:

Pardue, Craig (Dallas County)

Registering, but not testifying:

For:

Bloodsworth, Cindy (Texas Conference of Urban Counties)

Against:

Canfield, Irma (Self)  
Herndon, Patrick (Self; GRADE)  
Levine, Linda (Self)  
Valdez, Debby (Self)

HB 1438

For:

Meyers, Robert (McCreary Law Firm)

Registering, but not testifying:

For:

Pardue, Craig (Dallas County)  
Wynn, Monty (Texas Municipal League)

HB 1674

On:

Key, Alicia (Office of Attorney General)

Registering, but not testifying:

For:

Bresnen, Steve (Texas Family Law Foundation)

HB 1970

On:

Key, Alicia (Office of Attorney General)

Registering, but not testifying:

For:

Bresnen, Steve (Texas Family Law Foundation)

# COMMITTEE AUDIO RECORDING LOG

COMMITTEE ON: JUDICIARY & CIVIL DATE: MARCH 14, 2011  
 JURISPRUDENCE  
 SUBCOMMITTEE ON: LOCATION: E2.010

<u>BILL NUMBER/ISSUE:</u>	<u>WITNESS NAME:</u>
<u>HB1209</u>	CHRIS JONES
<u>HB1209</u>	KIMBERLY SULLIVAN
<u>HB1209</u>	LON CRAFT
<u>HB1438</u>	ROBERT MEYERS
<u>HB627</u>	RANDY KILDOW
<u>HB627</u>	LARRY MOLINARE
<u>HB627</u>	KEITH ELKINS
<u>HB627</u>	CHRIS DANIEL
<u>HB627</u>	FARRAH MARTINEZ
<u>HB7</u>	KIRSTA MELTON
<u>HB7</u>	DAVID BOATRIGHT
<u>HB7</u>	MANDI KIMBALL
<u>HB7</u>	NOEL BUSCH ARMENDARIZ
<u>HB417</u>	SCOTT HENSON
<u>HB942</u>	CAROLE CALLAGHAN
<u>HB435</u>	TINA AMBERBOY
<u>HB435</u>	HEIDI BRUEGEL COX
<u>HB435</u>	JANE BURSTAIN
<u>HB435</u>	BETH PAGE
<u>HB436</u>	JOHN J SAMPSON
<u>HB436</u>	DENNIS MORENO
<u>HB436</u>	JANE BURSTAIN
<u>HB436</u>	HEIDI BRUEGEL COX
<u>HB436</u>	SUSIE FLORES
<u>HB436</u>	MARY MORENO
<u>HB436</u>	TINA AMBERBOY
<u>HB436</u>	LIZ KROMREI
<u>HB835</u>	PAUL HASTINGS
<u>HB835</u>	JESSE MORENO
<u>HB835</u>	MARY MORENO
<u>HB835</u>	DENNIS MORENO

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*AMP*  
 3/15/2011

<u>HB835</u>	HEIDI BRUEGEL COX
<u>HB835</u>	JOHN J SAMPSON
<u>HB835</u>	RAUL CRUZ
<u>HB835</u>	SUSIE FLORES
<u>HB835</u>	STEVE BRESNEN
<u>HB835</u>	LIZ KROMREI
<u>HB901</u>	CHARLA BRADSHAW
<u>HB906</u>	DAVID WILLIS
<u>HB909</u>	BRIAN WEBB
<u>HB1674</u>	ALICIA KEY
<u>HB1970</u>	ALICIA KEY
<u>HB1325</u>	CRAIG PARDUE

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