



LEGISLATIVE UPDATE

May 22, 2015

PLEASE NOTE: Calendar deadlines continue to trigger under the rules in both the House and the Senate. Today, May 22, 2015 is the **LAST DAY** the House may consider a local House Bill on 2nd or 3rd reading and tomorrow, May 23, 2015 is the last day a House Committee may report a Senate Bill.

On a related note, HB 1692 by Representative Sheets, relating to Forum Non Conveniens, is on the Senate Intent Calendar for today and is expected to come up for debate.

Weekly legislation "movement" update.

Be advised, the caption of the bill may not adequately describe in enough detail what the bill actually does! Each bill listed is linked so that you may see the proposed legislation in full.

Please do not hesitate to contact the TADC should you have any concerns about any bills filed this session.

TADC Tracked Legislation Movement - May 18, 2015 - May 22, 2015:

[HB 230](#)

[Farrar, Jessica\(D\)](#)
[Ellis, Rodney\(D\)](#)

Relating to recovery of attorney's fees in certain civil cases.

Last Action: 5-21-15 Committee action pending Senate State Affairs

[HB 257](#) [Farney, Marsha\(R\)](#) [Huffman, Joan\(R\)](#) Relating to a justice or judge having an interest in a business entity that owns, manages, or operates a private correctional or rehabilitation facility.

Last Action: 5-21-15 Recommended for Local/Uncontested Calendar

[HB 262](#) [Miles, Borris\(D\)](#) [Creighton, Brandon\(F\)\(R\)](#) Relating to liability of an owner, lessee, or occupant of land that allows land to be used as a community garden.

Last Action: 5-21-15 Recommended for Local/Uncontested Calendar

[HB 335](#) [Thompson, Ed\(R\)](#) Relating to named driver insurance policies and certain related exclusions.

Companions: [SB 1755](#) Seliger, Kel(R) (Identical)
3-24-15 S Introduced and referred to committee on Senate Business and Commerce

Last Action: 5-21-15 Referred to Senate Committee on Senate Business and Commerce

[HB 574](#) [Bonnen, Greg\(R\)](#) [Campbell, Donna\(R\)](#) Relating to the operation of certain managed care plans with respect to health care providers.

Companions: [SB 1098](#) Campbell, Donna(R) (Identical)
3-16-15 S Introduced and referred to committee on Senate Business and Commerce

Last Action: 5-20-15 Passed (Vote: Y: 29/N: 1)

[HB 737](#) [Aycock, Jimmie Don\(R\)](#) [Fraser, Troy\(R\)](#) Relating to the creation of regional emergency communications districts.

Companions: [SB 532](#) Fraser, Troy(R) (Identical)
2-18-15 S Introduced and referred to committee on Senate Intergovernmental Relations

		<i>Last Action:</i> 5-21-15 Voted favorably from committee on Senate Intergovernmental Relations
HB 801	King, Ken(R) Eltime, Kevin(R)	Relating to planning for the use of and liability resulting from prescribed burns by the Parks and Wildlife Department.
		<i>Last Action:</i> 5-21-15 Passed (Vote: Y: 31/N: 0)
HB 866	Thompson, Ed(R) Huffman, Joan(R)	Relating to the exemption from jury service of a person who is the primary caretaker of another person.
		<i>Last Action:</i> 5-22-15 Meeting set for 8:00 A.M., E1.012, Senate State Affairs
HB 968	Hernandez, Ana(D) Garcia, Sylvia(D)	Relating to civil liability of shareholders and members of certain legal entities that engage in the trafficking of persons.
	<i>Companions:</i> SB 1848 Garcia, Sylvia(D) (Identical) 4-27-15 S Committee action pending Senate State Affairs	
		<i>Last Action:</i> 5-20-15 Passed on local calendar (Vote: Y: 31/N: 0)
HB 1040	Paddie, Chris(R) Hancock, Kelly(R)	Relating to the liability of certain sports officials and organizations.
		<i>Last Action:</i> 5-20-15 Passed on local calendar (Vote: Y: 31/N: 0)
HB 1050	White, James(R) Taylor, Van (F)(R)	Relating to liability of food donors.
		<i>Last Action:</i> 5-22-15 Passed on local calendar (Vote: Y: 31/N: 0)
HB 1079	Thompson, Senfronia(D) Perry, Charles (F)(R)	Relating to the distribution of certain civil penalties and civil restitution received by the attorney general.
		<i>Last Action:</i> 5-23-15 Set on the Local Calendar
HB 1090	Herrero, Abel(D)	Relating to exemption of certain firefighters and peace officers from jury service.
		<i>Last Action:</i> 5-18-15 Referred to Senate Committee on Senate State Affairs
HB 1171	Farney, Marsha(R) Lucio, Eddie(D)	Relating to the applicability of certain immunity and liability laws to open-enrollment charter schools.
	<i>Companions:</i> SB 1569 Lucio, Eddie(D) (Identical)	

5-11-15 H Referred to House Committee on House Public Education

Last Action: 5-21-15 Voted favorably from committee on Senate Education

[HB 1265](#) [Wu, Gene\(D\)](#) Relating to a deceptive act or practice related to an unsolicited advertisement of goods and services sent by mail.

Last Action: 5-21-15 Voted favorably from committee as substituted Senate Business and Commerce

[HB 1306](#) [Hughes, Bryan\(R\)](#)
[Zaffirini, Judith\(D\)](#) Relating to the reimbursement of expenses incurred by court reporters in judicial districts composed of more than one county.

Last Action: 5-22-15 Committee Action Pending Senate State Affairs

[HB 1313](#) [Fletcher, Allen\(R\)](#) Relating to ensuring the removal of the names of deceased persons from the jury wheel.

Last Action: 5-18-15 Referred to Senate Committee on Senate State Affairs

[HB 1403](#) [Sheets, Kenneth\(R\)](#)
[Estes, Craig\(R\)](#) Relating to the definition of health care liability claim for the purposes of certain laws governing those claims.

Last Action: 5-22-15 Committee Action Pending Senate State Affairs

[HB 1455](#) [King, Phil\(R\)](#)
[Creighton, Brandon \(F\)\(R\)](#) Relating to procedures required before a condominium association files a suit or initiates an arbitration proceeding for a defect or design claim.

Companions: [SB 834](#) Creighton, Brandon (F)(R) (Identical)
5- 8-15 S Withdrawn from the Local Calendar

Last Action: 5-21-15 Reported favorably from committee on Senate State Affairs

[HB 1492](#) [Miller, Doug\(R\)](#)
[Schwertner, Charles\(R\)](#) Relating to consideration of asbestos or silica trust claims in certain actions asserting asbestos- or silica-related injuries.

Last Action: 5-22-15 Placed on the Senate Calendar

<u>HB 1510</u>	<u>Thompson, Senfronia(D)</u> <u>Garcia, Sylvia(D)</u>	Relating to liability of persons who lease dwellings to persons with criminal records.
Companions:		<u>SB 1473</u> Garcia, Sylvia(D) (Identical) 3-19-15 S Introduced and referred to committee on Senate State Affairs
Last Action:		<i>5-22-15 Placed on the Senate Calendar</i>
<u>HB 1666</u>	<u>Bonnen, Dennis(R)</u> <u>Huffman, Joan(R)</u>	Relating to the liability of certain persons for damages arising from training exercises to prepare the persons to respond to certain emergencies.
Last Action:		<i>5-22-15 Committee Action Pending Senate State Affairs</i>
<u>HB 1692</u>	<u>Sheets, Kenneth(R)</u> <u>Huffman, Joan(R)</u>	Relating to the doctrine of forum non conveniens
Companions:		<u>SB 1942</u> Huffman, Joan(R) (Identical) 3-25-15 S Introduced and referred to committee on Senate State Affairs
Last Action:		<i>5-22-15 Placed on the Senate Calendar</i>
<u>HB 1779</u>	<u>Murr, Andrew (F)(R)</u> <u>Uresti, Carlos(D)</u>	Relating to the confidentiality of a physician's patient information in certain judicial proceedings.
Companions:		<u>SB 1733</u> Uresti, Carlos(D) (Identical) 5- 4-15 S Placed on the Senate Calendar for
Last Action:		<i>5-22-15 Passed on local calendar (Vote: Y: 31/N: 0)</i>
<u>HB 1923</u>	<u>Naishtat, Elliott(D)</u> <u>Rodriguez, Jose(D)</u>	Relating to qualifications of special judges.
Companions:		<u>SB 1620</u> Rodriguez, Jose(D) (Identical) 3-23-15 S Introduced and referred to committee on Senate State Affairs
Last Action:		<i>5-22-15 Committee Action Pending Senate State Affairs</i>
<u>HB 2049</u>	<u>Darby, Drew(R)</u> <u>Eltife, Kevin(R)</u>	Relating to indemnification and duties of engineers and architects under certain governmental contracts.
Companions:		<u>SB 799</u> Eltife, Kevin(R) (Identical)

4-14-15 S Committee action pending
Senate Business and Commerce

Last Action: 5-22-15 Passed (Vote: Y: 28/N: 3)

HB 2182 Clardy, Travis(R) Creighton, Brandon
(F)(R) Relating to the collection and refunding of
certain fees and deposits by a county clerk or
district clerk.

Last Action: 5-22-15 Placed on the Senate Calendar

HB 2303 Kuempel, John(R) Huffman, Joan(R)
Relating to a landowner's liability for injuries
incurred during certain recreational activities.

Last Action: 5-22-15 Committee Action Pending Senate State
Affairs

HB 2390 Bohac, Dwayne(R) Creighton, Brandon
(F)(R) Relating to civil liability arising from an
employee wellness program.

Last Action: 5-21-15 Recommended for Local/Uncontested
Calendar

HB 2573 Johnson, Eric(D) Lucio, Eddie(D)
Relating to a deceptive trade practice related to
the use of certain words to imply that a person
who is not an attorney is authorized to practice
law and the prosecution of a cause of action
arising from that practice.

Last Action: 5-20-15 Recommended for Local/Uncontested
Calendar

HB 2590 Johnson, Eric(D) West, Royce(D)
Relating to providing a remedy for fraud
committed in certain real estate and stock
transactions.

Last Action: 5-22-15 Committee Action Pending Senate State
Affairs

HB 2633 Hernandez, Ana(D) Perry, Charles (F)(R)
Relating to the release of information regarding
motor vehicle accidents.

Last Action: 5-22-15 Committee Action Pending Senate State
Affairs

HB 2747 Landgraf, Brooks
(F)(R) Creighton, Brandon
(F)(R) Relating to juror service qualifications.

Last Action: 5-23-15 Set on the Local Calendar

<u>SB 267</u>	<u>Perry, Charles (F)(R)</u> <u>Huberty, Dan(R)</u>	Relating to the regulation by a municipality or county of the rental or leasing of housing accommodations.
	Companions:	<u>HB 738</u> Larson, Lyle(R) (Identical) 2-26-15 H Introduced and referred to committee on House Urban Affairs <u>HB 2909</u> Springer, Drew(R) (Identical) 5-14-15 H Set on the House Calendar
	Last Action:	<i>5-22-15 Set on the House Calendar</i>
<u>SB 306</u>	<u>Zaffirini, Judith(D)</u> <u>Raymond, Richard(D)</u>	Relating to the information included in the annual report of the State Commission on Judicial Conduct.
	Last Action:	<i>5-22-15 Set on the Local Calendar</i>
<u>SB 381</u>	<u>Uresti, Carlos(D)</u> <u>Guillen, Ryan(D)</u>	Relating to tort liability arising from a volunteer's operation of a Parks and Wildlife Department motor-driven vehicle or motor-driven equipment.
	Companions:	<u>HB 323</u> Guillen, Ryan(D) (Identical) 5-15-15 H Laid on the table - subject to call - see SB 381
	Last Action:	<i>5-20-15 Sent to the Governor</i>
<u>SB 418</u>	<u>Whitmire, John(D)</u> <u>Thompson, Senfronia(D)</u>	Relating to requests by the State Commission on Judicial Conduct for certain records held by court reporters.
	Last Action:	<i>5-21-15 Sent to the Calendars Committee</i>
<u>SB 432</u>	<u>West, Royce(D)</u> <u>Villalba, Jason(R)</u>	Relating to continuation of an additional fee for filing civil cases in certain Dallas County courts.
	Last Action:	<i>5-22-15 Set on the Local Calendar</i>
<u>SB 450</u>	<u>Schwertner, Charles(R)</u> <u>Sheets, Kenneth(R)</u>	Relating to the liability of a political subdivision of this state for certain claims relating to land acquired by the political subdivision under certain circumstances.
	Companions:	<u>HB 1406</u> Sheets, Kenneth(R) (Identical) 4-28-15 H Committee action pending House Judiciary and Civil Jurisprudence

Last Action: 5-21-15 Sent to the Governor

[SB 455](#) [Creighton, Brandon \(F\)\(R\)](#) [Schofield, Mike \(F\)\(R\)](#) Relating to the creation of a special three-judge district court.

Companions: [HB 1091](#) Schofield, Mike (F)(R) (Identical)
5-13-15 H Laid on the table - subject to call - see SB 455

Last Action: 5-20-15 Sent to the Governor

[SB 474](#) [Kolkhorst, Lois \(F\)\(R\)](#) Relating to the recovery of costs and fees in connection with certain eminent domain proceedings.

Companions: [HB 3339](#) Burkett, Cindy(R) (Identical)
3-17-15 H Introduced and referred to committee on House Land and Resource Management

Last Action: 5-18-15 Committee action pending House Land and Resource Management

[SB 531](#) [Campbell, Donna\(R\)](#) Relating to the application of foreign laws and foreign forum selection in a proceeding involving marriage, a suit for dissolution of a marriage, or a suit affecting the parent-child relationship in this state.

Companions: [HB 562](#) Leach, Jeff(R) (Identical)
5-14-15 H Set on the House Calendar

Last Action: 5-22-15 Placed on the Senate Calendar

[SB 610](#) [Perry, Charles \(F\)\(R\)](#) [Murr, Andrew \(F\)\(R\)](#) Relating to limited liability for an agritourism entity involved in an agritourism activity.

Companions: [HB 1203](#) Murr, Andrew (F)(R) (Identical)
4-24-15 H Recommended for Local and Consent Calendar

Last Action: 5-22-15 Set on the Local Calendar

[SB 627](#) [Huffman, Joan\(R\)](#) [Hunter, Todd\(R\)](#) Relating to certain publications that are privileged and not grounds for a libel action.

Companions: [HB 1766](#) Hunter, Todd(R) (Identical)

5-15-15 H Laid on the table - subject to call - see SB 627

Last Action: 5-20-15 Sent to the Governor

[SB 681](#) [Zaffirini, Judith\(D\)](#) [Rodriguez, Justin\(D\)](#) Relating to a bailiff administering the selection of names of persons for jury service.

Companions: [HB 2370](#) Rodriguez, Justin(D) (Identical)
4- 9-15 H Removed from hearing 04/14/15, House Judiciary and Civil Jurisprudence

Last Action: 5-22-15 Set on the Local Calendar

[SB 735](#) [Fraser, Troy\(R\)](#) [King, Ken\(R\)](#) Relating to the availability and use of certain evidence in connection with an award of exemplary damages.

Companions: [HB 969](#) King, Ken(R) (Identical)
5-14-15 H Set on the House Calendar

Last Action: 5-21-15 Passed to third reading (Vote: Y: 97/N: 46)

[SB 824](#) [Huffman, Joan\(R\)](#) [Clardy, Travis\(R\)](#) Relating to the number of jurors required in certain civil cases pending in a statutory county court.

Companions: [HB 1122](#) Clardy, Travis(R) (Identical)
5-14-15 H Set on the House Calendar

Last Action: 5-22-15 Set on the House Calendar

[SB 900](#) [Taylor, Larry\(R\)](#) [Bonnen, Greg\(R\)](#) Relating to the operation of the Texas Windstorm Insurance Association and the renaming of the Texas Windstorm Insurance Association as the Texas Coastal Insurance Association.

Companions: [HB 2245](#) Bonnen, Greg(R) (Identical)
4-22-15 H Committee action pending House Insurance

Last Action: 5-24-15 Set on the House Calendar

[SB 1022](#) [Uresti, Carlos\(D\)](#) Relating to an unsworn declaration made by a private process server in the performance of the server's job duties.

Last Action: 5-21-15 Vote failed in committee on House Judiciary and Civil Jurisprudence

SB 1060	Hinojosa, Chuy(D) Thompson, Ed(R)	Relating to the solicitation of employment for or a referral to an attorney made by a public adjuster.
	Last Action:	<i>5-21-15 Recommended for Local and Consent Calendar</i>
SB 1116	West, Royce(D) Smithee, John(R)	Relating to a notice or document sent by mail or electronic mail by a court, justice, judge, magistrate, or clerk of a judicial court.
	Companions:	HB 2822 Smithee, John(R) (Identical) 5-15-15 H Laid on the table - subject to call - see SB 1116
	Last Action:	<i>5-20-15 Sent to the Governor</i>
SB 1139	Huffman, Joan(R) Smithee, John(R)	Relating to the operation and administration of and practice in courts in the judicial branch of state government and the composition of certain juvenile boards.
	Companions:	HB 2768 Smithee, John(R) (Identical) 4- 7-15 H Committee action pending House Judiciary and Civil Jurisprudence
	Last Action:	<i>5-21-15 Passed to third reading</i>
SB 1227	Seliger, Kel(R)	Relating to payment of covered claims based on assignment.
	Companions:	HB 2071 Workman, Paul(R) (Identical) 5-14-15 H Set on the House Calendar
	Last Action:	<i>5-20-15 Received in the House</i>
SB 1267	Estes, Craig(R) Clardy, Travis(R)	Relating to contested cases conducted under the Administrative Procedure Act.
	Companions:	HB 1419 Clardy, Travis(R) (Identical) 5- 5-15 H Committee action pending House Judiciary and Civil Jurisprudence
	Last Action:	<i>5-22-15 Set on the Local Calendar</i>
SB 1369	Zaffirini, Judith(D)	Relating to reports on attorney ad litem appointments made by courts in this state.
	Last Action:	<i>5-20-15 Voted favorably from committee as substituted House Judiciary and Civil Jurisprudence</i>

[SB 1457](#) [Nichols, Robert\(R\)](#) [Clardy, Travis\(R\)](#) Relating to bad faith claims of patent infringement.

Last Action: 5-22-15 Set on the Local Calendar

[SB 1628](#) [Taylor, Larry\(R\)](#) [Smithee, John\(R\)](#) Relating to insurance claims and certain prohibited acts and practices in or in relation to the business of insurance.

Companions: [HB 3646](#) Smithee, John(R) (Identical)
4-22-15 H Committee action pending
House Insurance

Last Action: 5-22-15 Sent to the Calendars Committee

REMINDER - REGISTER NOW!

For the 2015 TADC Summer Seminar

Join the TADC in Jackson Hole, Wyoming July 8-12, 2015

*A program for the practicing trial lawyer
offering 9.25 hours CLE, including 1.75 hours ethics*

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~ Wrap-Up of the 84th Legislative Session

~Contempt of Court!

~ The Science of an Apology

~ Understanding Sovereign Immunity

~ The Expedited Civil Action: The First 2 Years

...and much more!

Hotel Reservation cut-off is June 5, 2015

REGISTRATION MATERIALS

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