



# LEGISLATIVE UPDATE

*May 8, 2015*

**PLEASE NOTE:** Calendar deadlines are beginning to trigger under the rules in both the House and the Senate. Monday, May 11, 2015 is the **LAST DAY** a House Bill may be voted out of a House Committee. Any House Bill pending in committee after that is effectively "dead" this session.

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 4, 2015 - May 8, 2015:

[HB 187](#)

[Thompson,  
Senfronia\(D\)](#)

Relating to unlawful employment practices regarding discrimination in payment of compensation.

*Companions:*

[SB 65](#) Ellis, Rodney(D)

(Identical)

1-26-15 Introduced and referred to committee on Senate Natural Resources and Economic Development

**Last Action:** 5- 6-15 Reconsidered and spread on the journal under the House rules

[HB 230](#) [Farrar, Jessica\(D\)](#) Relating to recovery of attorney's fees in certain civil cases.

**Last Action:** 5- 4-15 Referred to Senate Committee on Senate State Affairs

[HB 257](#) [Farney, Marsha\(R\)](#) 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- 8-15 Set on the Local Calendar

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

**Last Action:** 5- 6-15 Received in the Senate

[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 Introduced and referred to committee on Senate Business and Commerce

**Last Action:** 5- 7-15 Received in the Senate

[HB 512](#) [Moody, Joe\(D\)](#) Relating to waiver of immunity in certain employment discrimination actions in connection with a workers' compensation claim.

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

[HB 520](#) [Moody, Joe\(D\)](#) Relating to the assignment of certain judges as a visiting judge.

**Last Action:** 5- 4-15 Referred to Senate Committee on Senate State Affairs

[HB 574](#) [Bonnen, Greg\(R\)](#) 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 Introduced and referred to committee on Senate Business and Commerce

**Last Action:** 5- 4-15 Referred to Senate Committee on Senate Business and Commerce

[HB 629](#) [Bonnen, Greg\(R\)](#) Relating to a person's ability to read and write in English as a qualification for service as a petit juror.

**Last Action:** 5- 6-15 Meeting set for 10:30 A.M. OR ADJ., E2.030, House Criminal Jurisprudence

[HB 750](#) [Fruzzo, John\(R\)](#) Relating to a landowner's liability for certain aviation activities on the owner's land.

**Last Action:** 5- 4-15 Referred to Senate Committee on Senate State Affairs

[HB 823](#) [Wu, Gene\(D\)](#) Relating to criminal liability for certain federal motor carrier safety regulation violations.

**Last Action:** 5- 7-15 Passed (Vote: Y:126/N: 17)

[HB 866](#)      [Thompson, Ed\(R\)](#)      Relating to the exemption from jury service of a person who is the primary caretaker of another person.

***Last Action:***      *5- 8-15 Set on the Local Calendar*

[HB 968](#)      [Hernandez, Ana\(D\)](#)      Relating to civil liability of shareholders and members of certain legal entities that engage in the trafficking of persons.

***Companions:***      [SB 1848](#)      Garcia, Sylvia(D)      (Identical)  
4-27-15 Committee action pending Senate State Affairs

***Last Action:***      *5- 4-15 Referred to Senate Committee on Senate State Affairs*

[HB 969](#)      [King, Ken\(R\)](#)      Relating to the availability and use of certain evidence in connection with an award of exemplary damages.

***Companions:***      [SB 735](#)      Fraser, Troy(R)      (Identical)  
5- 4-15 Referred to House Committee on House Judiciary and Civil Jurisprudence

***Last Action:***      *5- 8-15 Set on the House Calendar-The TADC Testified IN FAVOR of the Final Version of this Legislation*

[HB 1040](#)      [Paddie, Chris\(R\)](#)      Relating to the liability of certain sports officials and organizations.

***Last Action:***      *5- 4-15 Referred to Senate Committee on Senate State Affairs*

[HB 1050](#)      [White, James\(R\)](#)      Relating to liability of food donors.

***Last Action:***      *5- 4-15 Referred to Senate Committee on Senate State Affairs*

<a href="#"><u>HB 1079</u></a>	<a href="#"><u>Thompson, Senfronia(D)</u></a>	Relating to the distribution of certain civil penalties and civil restitution received by the attorney general.
		<b><i>Last Action:</i></b> <i>5- 6-15 Received in the Senate</i>
<a href="#"><u>HB 1091</u></a>	<a href="#"><u>Schofield, Mike (F)(R)</u></a>	Relating to the creation of a special three-judge district court.
		<b><i>Companions:</i></b> <a href="#"><u>SB 455</u></a> Creighton, Brandon (F)(R) (Identical) 5- 5-15 Referred to House Committee on House Judiciary and Civil Jurisprudence
		<b><i>Last Action:</i></b> <i>5-11-15 Set on the House Calendar</i>
<a href="#"><u>HB 1124</u></a>	<a href="#"><u>Workman, Paul(R)</u></a>	Relating to adjudication of claims arising from written contracts with state agencies.
		<b><i>Last Action:</i></b> <i>5-12-15 Set on the House Calendar</i>
<a href="#"><u>HB 1129</u></a>	<a href="#"><u>Sheets, Kenneth(R)</u></a>	Relating to an exemption from the attorney occupation tax for attorneys exclusively offering pro bono legal services.
		<b><i>Last Action:</i></b> <i>5- 4-15 Referred to Senate Committee on Senate Finance</i>
<a href="#"><u>HB 1171</u></a>	<a href="#"><u>Farney, Marsha(R)</u></a>	Relating to the applicability of certain immunity and liability laws to open-enrollment charter schools.
		<b><i>Companions:</i></b> <a href="#"><u>SB 1569</u></a> Lucio, Eddie(D) (Identical) 5- 8-15 Set on the Local Calendar
		<b><i>Last Action:</i></b> <i>5- 7-15 Set on the House Calendar</i>
<a href="#"><u>HB 1200</u></a>	<a href="#"><u>Simpson, David(R)</u></a>	Relating to civil liability of a person who produces, distributes, sells, or provides or aids

in the production, distribution, sale, or provision of certain synthetic substances to another person for damages caused by the other person

**Companions:** [SB 1629](#) Whitmire, John(D) (Identical)  
3-23-15 Introduced and referred to committee on Senate State Affairs

**Last Action:** 5- 8-15 Set on the House Calendar

[HB 1206](#) [Huberty, Dan\(R\)](#) Relating to the disclosure of certain information under a consolidated insurance program.

**Companions:** [SB 1081](#) Creighton, Brandon (F)(R) (Identical)  
4-30-15 Referred to House Committee on House Insurance

**Last Action:** 5- 6-15 Voted favorably from committee as substituted House Insurance

[HB 1390](#) [Thompson, Senfronia\(D\)](#) Relating to remedies for discrimination by a public employer against a public employee in connection with a claim for workers' compensation.

**Last Action:** 5- 8-15 Set on the House Calendar

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

**Last Action:** 5- 8-15 Set on the House Calendar

[HB 1419](#) [Clardy, Travis\(R\)](#) Relating to contested cases conducted under the Administrative Procedure Act.

**Companions:** [SB 1267](#) Estes, Craig(R) (Identical)  
5- 7-15 Received in the House

**Last Action:** *5- 5-15 Committee action pending House Judiciary and Civil Jurisprudence*

[HB 1455](#) [King, Phil\(R\)](#)

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 (Identical)  
(F)(R)  
5- 8-15 Set on the Local Calendar

**Last Action:** *5- 7-15 H Set on the House Calendar*

[HB 1492](#) [Miller, Doug\(R\)](#)

Relating to consideration of asbestos or silica trust claims in certain actions asserting asbestos- or silica-related injuries.

**Last Action:** *5- 8-15 Set on the House Calendar*

[HB 1510](#) [Thompson, Senfronia\(D\)](#)

Relating to liability of persons who lease dwellings to persons with criminal records.

**Companions:** [SB 1473](#) Garcia, Sylvia(D) (Identical)  
3-19-15 Introduced and referred to committee on Senate State Affairs

**Last Action:** *5- 6-15 Referred to Senate Committee on Senate State Affairs*

[HB 1520](#) [Thompson, Senfronia\(D\)](#)

Relating to the assignment to a trial court of a judge or justice who was defeated in a primary or general election.

**Last Action:** *5- 5-15 Committee action pending House Judiciary and Civil Jurisprudence*

[HB 1620](#) [Galindo III, Rick \(F\)\(R\)](#)

Relating to the prohibition of certain employment discrimination regarding an

employee who is a volunteer emergency responder.

**Companions:** [SB 612](#) Burton, Konni (F)(R) (Identical)  
4-21-15 Committee action pending Senate  
Natural Resources and Economic Develop

**Last Action:** 5- 4-15 Sent to the Calendars Committee

[HB 1642](#) [Pickett, Joe\(D\)](#) Relating to the rights, remedies, and liability of certain owners and operators of environmentally contaminated property.

**Last Action:** 5- 5-15 Voted favorably from committee as substituted House Environmental Regulation

[HB 1666](#) [Bonnen, Dennis\(R\)](#) Relating to the liability of certain persons for damages arising from training exercises to prepare the persons to respond to certain emergencies.

**Last Action:** 5- 8-15 Set on the Local Calendar

[HB 1668](#) [Workman, Paul\(R\)](#) Relating to the status of a subcontractor as an employee for the purposes of workers' compensation insurance coverage.

**Companions:** [SB 666](#) Eltife, Kevin(R) (Identical)  
2-24-15 Introduced and referred to committee on Senate Business and Commerce

**Last Action:** 5- 8-15 H Set on the House Calendar

[HB 1692](#) [Sheets, Kenneth\(R\)](#) Relating to the doctrine of forum non conveniens

**Companions:** [SB 1942](#) Huffman, Joan(R) (Identical)



3-25-15 Introduced and referred to committee on Senate State Affairs

**Last Action:** *5- 8-15 Set on the House Calendar - TADC Testified In Favor of this Legislation*

[HB 1757](#) [Paul, Dennis \(F\)\(R\)](#) Relating to liability of an engineer conducting a Texas Windstorm Insurance Association inspection.

**Last Action:** *5- 4-15 Committee action pending Licensing and Administrative Procedures*

[HB 1777](#) [Giddings, Helen\(D\)](#) Relating to prohibiting an employer from accessing the personal online accounts of employees and job applicants through electronic communication devices.

**Last Action:** *5- 4-15 Sent to the Calendars Committee*

[HB 1779](#) [Murr, Andrew \(F\)\(R\)](#) Relating to the confidentiality of a physician's patient information in certain judicial proceedings.

**Companions:** [SB 1733](#) [Uresti, Carlos\(D\)](#) (Identical)  
5- 4-15 Placed on the Senate Calendar

**Last Action:** *5- 6-15 Referred to Senate Committee on Senate State Affairs*

[HB 1806](#) [Tinderholt, Tony \(F\)\(R\)](#) Relating to service of process in this state.

**Companions:** [HB 3459](#) [Schofield, Mike \(F\)\(R\)](#) (Identical)  
3-18-15 Introduced and referred to committee on House Judiciary and Civil Jurisprudence

***Last Action:*** 5- 5-15 Committee action pending House Judiciary and Civil Jurisprudence

[HB 2013](#)   [Sheets, Kenneth\(R\)](#)   Relating to recovery of attorney's fees against veterinarians for certain claims.

***Last Action:*** 5- 5-15 Committee action pending House Judiciary and Civil Jurisprudence - TADC  
***Registered IN FAVOR of this Legislation***

[HB 2049](#)   [Darby, Drew\(R\)](#)   Relating to indemnification and duties of engineers and architects under certain governmental contracts.

***Companions:***   [SB 799](#)   Eltife, Kevin(R)   (Identical)  
4-14-15 Committee action pending Senate Business and Commerce

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

[HB 2071](#)   [Workman, Paul\(R\)](#)   Relating to payment of covered claims based on assignment.

***Companions:***   [SB 1227](#)   Seliger, Kel(R)   (Identical)  
5- 7-15 Committee action pending Senate Business and Commerce

***Last Action:*** 5- 4-15 Sent to the Calendars Committee

[HB 2088](#)   [Rodriguez, Justin\(D\)](#)   Relating to an interim study regarding the method by which district judges and appellate justices and judges are selected.

***Last Action:*** 5- 4-15 Sent to the Calendars Committee

[HB 2182](#)   [Clardy, Travis\(R\)](#)   Relating to the collection and refunding of certain fees and deposits by a county clerk or district clerk.

***Last Action:*** 5- 6-15 Received in the Senate

[HB 2390](#) [Bohac, Dwayne\(R\)](#) Relating to civil liability arising from an employee wellness program.

***Last Action:*** 5- 6-15 Received in the Senate

[HB 2573](#) [Johnson, Eric\(D\)](#) 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- 6-15 Received in the Senate

[HB 2587](#) [Oliveira, Rene\(D\)](#) Relating to a study regarding employers who do not participate in and injured employees who are not covered under the workers' compensation system.

***Last Action:*** 5- 4-15 Failed to pass to third reading (Vote: N: 85/Y: 52)

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

***Last Action:*** 5- 6-15 Received in the Senate

[HB 2633](#) [Hernandez, Ana\(D\)](#) Relating to the release of information regarding motor vehicle accidents.

***Last Action:*** 5- 7-15 Received in the Senate

[HB 2747](#) [Landgraf, Brooks \(F\)\(R\)](#) Relating to juror service qualifications.

***Last Action:*** 5- 6-15 S Received in the Senate

- [HB 3079](#) [Raymond, Richard\(D\)](#) Relating to applicability of a statute of limitations to an action based on a right or remedy provided by the Texas Constitution.
- Last Action:* 5- 5-15 Committee action pending House Judiciary and Civil Jurisprudence
- [HB 3176](#) [Smithee, John\(R\)](#) Relating to claims of patent infringement.
- Companions:* [SB 1187](#) Taylor, Van (F)(R) (Identical)  
4- 9-15 Committee action pending Senate State Affairs
- Last Action:* 5- 5-15 Committee action pending House Judiciary and Civil Jurisprudence
- [HB 3400](#) [Walle, Armando\(D\)](#) Relating to parties who may bring suit under the Texas Free Enterprise and Antitrust Act of 1983.
- Last Action:* 5- 6-15 Sent to the Calendars Committee
- [HJR 90](#) [Raymond, Richard\(D\)](#) Proposing a constitutional amendment to abolish the court of criminal appeals and establish one supreme court with civil and criminal appellate jurisdiction.
- Last Action:* 5- 5-15 Committee action pending House Judiciary and Civil Jurisprudence
- [SB 7](#) [Nelson, Jane\(R\)](#) Relating to decreasing the rates of the franchise tax.
- Last Action:* 5- 5-15 Referred to House Committee on House Ways and Means
- [SB 8](#) [Schwertner, Charles\(R\)](#) Relating to the total revenue exemption for the franchise tax.

**Last Action:** *5- 5-15 Referred to House Committee on House Ways and Means*

[SB 378](#)      [Rodriguez, Jose\(D\)](#)  
[Sheffield, J.D.\(R\)](#)      Relating to the liability of certain social workers who provide volunteer health care services to charitable organizations.

**Companions:** [HB 1116](#) Sheffield, J.D.(R) (Identical)  
4-30-15 Laid on the table - subject to call  
- see SB 378

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

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

**Companions:** [HB 1091](#) Schofield, Mike (F)(R) (Identical)  
5-11-15 Set on the House Calendar

**Last Action:** *5- 5-15 Referred to House Committee on House Judiciary and Civil Jurisprudence - TADC Testified ON this Legislation*

[SB 479](#)      [Schwertner,](#)  
[Charles\(R\)](#)      Relating to establishing actual progress for the purposes of determining the right to repurchase real property from a condemning entity.

**Companions:** [HB](#)  
[1562](#) Schofield, Mike (F)(R) (Identical)  
3- 9-15 Introduced and referred to  
committee on House Business and Industry

**Last Action:** *5- 5-15 Committee action pending House Business and Industry*

[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)  
4-24-15 Reported from committee as substituted House Judiciary and Civil Jurisprudence

**Last Action:** *5- 4-15 Committee action pending Senate State Affairs*

[SB 534](#) [Watson, Kirk\(D\)](#) [Smithee, John\(R\)](#) Relating to the oath of a person admitted to practice law in the State of Texas.

**Companions:** [HB 1644](#) Smithee, John(R) (Identical)  
4-30-15 Laid on the table - subject to call - see SB 534  
[HB 1909](#) Hunter, Todd(R) (Identical)  
3-11-15 Introduced and referred to committee on House Judiciary and Civil Jurisprudence

**Last Action:** *5- 5-15 Sent to the Governor - TADC Testified IN FAVOR of this Legislation*

[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 Recommended for Local and Consent Calendar

**Last Action:** *5- 6-15 Recommended for Local and Consent Calendar*

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

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

**Last Action:** 5- 4-15 Referred to House Committee on House  
Judiciary and Civil Jurisprudence

[SB 735](#) [Fraser, Troy\(R\)](#) 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- 8-15 Set on the House Calendar

**Last Action:** 5- 4-15 Referred to House Committee on House  
Judiciary and Civil Jurisprudence

[SB 774](#) [Fraser, Troy\(R\)](#)  
[Thompson,](#)  
[Senfronia\(D\)](#) Relating to a study on periodic rate adjustment  
by electric utilities.

**Companions:** [HB 2327](#) Thompson,  
Senfronia(D) (Identical)  
4-30-15 Laid on the table - subject to call -  
see SB 774

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

[SB 834](#) [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:** [HB 1455](#) King, Phil(R) (Identical)  
5- 7-15 Set on the House Calendar

**Last Action:** 5- 8-15 Set on the Local 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- 7-15 First placement on Senate Intent Calendar*

[SB 1060](#)   [Hinojosa, Chuy\(D\)](#)   Relating to the solicitation of employment for or a referral to an attorney made by a public adjuster.

***Last Action:***   *5- 7-15 Voted favorably from committee as substituted Senate Business and Commerce*

[SB 1116](#)   [West, Royce\(D\)](#)   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)  
4-27-15 Recommended for Local and Consent Calendar

***Last Action:***   *5- 4-15 Referred to House Committee on House Judiciary and Civil Jurisprudence*

[SB 1227](#)   [Seliger, Kel\(R\)](#)   Relating to payment of covered claims based on assignment.

***Companions:***   [HB 2071](#)   Workman, Paul(R)   (Identical)  
5- 4-15 Sent to the Calendars Committee

***Last Action:***   *5- 7-15 Committee action pending Senate Business and Commerce*

[SB 1267](#)   [Estes, Craig\(R\)](#)   Relating to contested cases conducted under the Administrative Procedure Act.

***Companions:***   [HB 1419](#)   Clardy, Travis(R)   (Identical)



5- 5-15 Committee action pending House  
Judiciary and Civil Jurisprudence

***Last Action:*** 5- 7-15 Received in the House

[SB 1444](#) [Taylor, Larry\(R\)](#) Relating to liability of certain electric utilities that allow certain uses of land that the electric utility owns, occupies, or leases.

***Companions:*** [HB 2184](#) Miller, Rick(R) (Identical)  
3-25-15 Committee action pending House  
State Affairs

***Last Action:*** 5- 4-15 Placed on the Senate Calendar

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

***Last Action:*** 5- 5-15 Referred to House Committee on House  
Judiciary and Civil Jurisprudence

[SB 1569](#) [Lucio, Eddie\(D\)](#) Relating to the applicability of certain immunity and liability laws to open-enrollment charter schools.

***Companions:*** [HB 1171](#) Farney, Marsha(R) (Identical)  
5- 7-15 Set on the House Calendar

***Last Action:*** 5- 8-15 Set on the Local Calendar

[SB 1600](#) [Kolkhorst, Lois \(F\)\(R\)](#) Relating to a limit on the award of attorney's fees in certain actions brought against a governmental entity.

***Last Action:*** 5- 5-15 Placed on the Senate Calendar for

[SB 1628](#)    [Taylor, Larry\(R\)](#)

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 Committee action pending House Insurance

*Last Action:*    5- 4-15 Referred to House Committee on House Insurance

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*Texas Association of Defense Counsel, Inc.*  
400 West 15th Street, Suite 420, Austin, Texas, 78701  
512/476-5225    512/476-5384 FAX  
[tadc@tadc.org](mailto:tadc@tadc.org)