



LEGISLATIVE UPDATE

May 29, 2015

With less than four days left in the 84th Legislative Session, calendar deadlines continue to fall. Today, May 29, 2015 is the LAST DAY the House may act on Senate amendments. Tomorrow, May 30, 2015 is the last day conference committee reports may be distributed (a 24 hour lay-out is required). Sunday, May 31, 2015 is the last day conference committee reports may be adopted and Monday, June 1, 2015 is Sine die, the end of the Legislative Session.

Note that HB 1692 by Representative Sheets, relating to Forum Non Conveniens, was sent to the Governor this week and is awaiting his signature.

This will be the final weekly legislation "movement" update. Look for a TADC Legislative E-Update summary of Session action early next week.

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 25, 2015 - May 29, 2015:](#)

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

Last Action: *5-26-15 Senate Passed on local calendar (Vote: Y: 31/N: 0)*

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

Last Action: *5-27-15 Placed on the Senate Calendar*

[HB 801](#) [King, Ken\(R\)](#)
[Eltife, Kevin\(R\)](#) Relating to planning for the use of and liability resulting from prescribed burns by the Parks and Wildlife Department.

Last Action: *5-26-15 Sent to the Governor*

[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.

Last Action: *5-27-15 Senate Passed on local calendar (Vote: Y: 31/N: 0)*

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

Last Action: *5-25-15 Sent to the Governor*

[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.

Last Action: *5-26-15 Sent to the Governor*

[HB 1171](#) [Farney, Marsha\(R\)](#)
[Lucio, Eddie\(D\)](#) Relating to the applicability of certain immunity and liability laws to open-enrollment charter schools.

Last Action: *5-29-15 Set on the House Items Eligible Calendar*

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

Last Action: *5-29-15 Set on the House Items Eligible Calendar*

[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: *5-27-15 Senate Passed on local calendar (Vote: Y: 31/N: 0)*

[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: *5-27-15 Sent to the Governor*

[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.

Last Action: *5-26-15 Passed Senate (Vote: Y: 24/N: 7)*

[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: 5-26-15 Sent to the Governor

[HB 1510](#) [Thompson, Senfronia\(D\)](#)
[Garcia, Sylvia\(D\)](#) Relating to liability of persons who lease dwellings to persons with criminal records.

Last Action: 5-27-15 Sent to the Governor

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

Last Action: 5-27-15 Senate Passed on local calendar (Vote: Y: 31/N: 0)

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

Last Action: 5-26-15 Sent to the Governor

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

Last Action: 5-26-15 Sent to the Governor

[HB 1923](#) [Naishtat, Elliott\(D\)](#)
[Rodriguez, Jose\(D\)](#) Relating to qualifications of special judges.

Last Action: 5-27-15 Senate Passed on local calendar (Vote: Y: 31/N: 0)

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

Last Action: *5-27-15 Sent to the Governor*

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

Last Action: *5-28-15 Sent to the Governor*

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

Last Action: *5-27-15 Senate Passed on local calendar (Vote: Y:
30/N: 1)*

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

Last Action: *5-26-15 Senate Passed on local calendar (Vote: Y:
30/N: 1)*

[HB 2573](#) [Johnson, Eric\(D\)](#) Relating to a deceptive trade practice related to
[Lucio, Eddie\(D\)](#) 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: *5-28-15 House concurred in Senate amendments
(Vote: Y:140/N: 2)*

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

Last Action: 5-28-15 House concurred in Senate amendments
(Vote: Y:143/N: 0)

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

Last Action: 5-28-15 Senate appointed conference committee
Conferees: Perry, Creighton, Estes, Ellis and Taylor
of
Collin

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

Last Action: 5-26-15 Sent to the Governor

SB 267 Perry, Charles (F)(R) Huberty, Dan(R) Relating to the regulation by a municipality or county of the rental or leasing of housing accommodations.

Last Action: 5-28-15 Senate concurred in House amendments
(Vote: Y: 19/N: 12)

SB 306 Zaffirini, Judith(D) Raymond, Richard(D) Relating to the information included in the annual report of the State Commission on Judicial Conduct.

Last Action: 5-26-15 Sent to the Governor

SB 381 Uresti, Carlos(D) Guillen, Ryan(D) Relating to tort liability arising from a volunteer's operation of a Parks and Wildlife Department motor-driven vehicle or motor-driven equipment.

Last Action: 9- 1-15 Earliest effective date

[SB 432](#) [West, Royce\(D\)](#)
[Villalba, Jason\(R\)](#) Relating to continuation of an additional fee for filing civil cases in certain Dallas County courts.

Last Action: *5-26-15 Sent to the Governor*

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

Last Action: *9- 1-15 Earliest effective date*

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

Last Action: *5-28-15 S Senate concurred in House amendments (Vote: Y: 31/N: 0)*

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

Last Action: *5-28-15 Earliest effective date*

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

Last Action: *5-26-15 Sent to the Governor*

[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.

Last Action: 5-28-15 Senate concurred in House amendments
(Vote: Y: 27/N: 4)

[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.

Last Action: 5-25-15 Bill pronounced dead by procedural action

[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.

Last Action: 5-28-15 Senate concurred in House amendments
(Vote: Y: 25/N: 6)

[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: 5-27-15 House Passed on local calendar (Vote:
Y:144/N: 0)

[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.

Last Action: 5-28-15 Conference committee report filed

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

Last Action: 5-27-15 House Passed on local calendar (Vote: Y:144/N: 0)

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

Last Action: 5-26-15 Sent to the Governor

[SB 1369](#) [Zaffirini, Judith\(D\)](#) [Smithee, John\(R\)](#) Relating to reports on attorney ad litem appointments made by courts in this state.

Last Action: 5-28-15 Set on the Senate Items Eligible Calendar

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

Last Action: 5-26-15 Sent to the Governor

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*

Topics Including:

~ 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 MATERIAL

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