

By: Wu

H.B. No. 4166

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to persons considered to exercise certain constitutional  
3 rights for purposes of a motion to dismiss certain civil actions.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 27.003, Civil Practice and Remedies  
6 Code, is amended by adding Subsection (a-1) to read as follows:

7 (a-1) For purposes of Subsection (a), only a party to a  
8 legal action is considered to exercise the right of free speech,  
9 right to petition, or right of association in the bringing or  
10 defending of the legal action. A person hired by the party to assist  
11 the party in the legal action, including an attorney, expert  
12 witness, or paralegal, is not considered to exercise the right of  
13 free speech, right to petition, or right of association in  
14 connection with the bringing or defending of that legal action.

15 SECTION 2. Section 27.003(a-1), Civil Practice and Remedies  
16 Code, as added by this Act, is intended only to clarify existing law  
17 with respect to the authority to bring a motion to dismiss.

18 SECTION 3. This Act takes effect September 1, 2021.