

1-1 By: Wu, Longoria, Schofield H.B. No. 527
 1-2 (Senate Sponsor - Zaffirini)
 1-3 (In the Senate - Received from the House April 27, 2023;
 1-4 May 1, 2023, read first time and referred to Committee on State
 1-5 Affairs; May 17, 2023, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 8, Nays 0;
 1-7 May 17, 2023, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18			X	
1-19			X	
1-20			X	

1-21 COMMITTEE SUBSTITUTE FOR H.B. No. 527 By: Hughes

1-22 A BILL TO BE ENTITLED
 1-23 AN ACT

1-24 relating to exemption of certain civil actions from being subject
 1-25 to a motion to dismiss on the basis of involving the exercise of
 1-26 certain constitutional rights.

1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-28 SECTION 1. Section 27.010(a), Civil Practice and Remedies
 1-29 Code, is amended to read as follows:

1-30 (a) This chapter does not apply to:

1-31 (1) an enforcement action that is brought in the name
 1-32 of this state or a political subdivision of this state by the
 1-33 attorney general, a district attorney, a criminal district
 1-34 attorney, or a county attorney;

1-35 (2) a legal action brought against a person primarily
 1-36 engaged in the business of selling or leasing goods or services, if
 1-37 the statement or conduct arises out of the sale or lease of goods,
 1-38 services, or an insurance product, insurance services, or a
 1-39 commercial transaction in which the intended audience is an actual
 1-40 or potential buyer or customer;

1-41 (3) a legal action seeking recovery for bodily injury,
 1-42 wrongful death, or survival or to statements made regarding that
 1-43 legal action;

1-44 (4) a legal action brought under the Insurance Code or
 1-45 arising out of an insurance contract;

1-46 (5) a legal action arising from an officer-director,
 1-47 employee-employer, or independent contractor relationship that:

1-48 (A) seeks recovery for misappropriation of trade
 1-49 secrets or corporate opportunities; or

1-50 (B) seeks to enforce a non-disparagement
 1-51 agreement or a covenant not to compete;

1-52 (6) a legal action filed under Title 1, 2, 4, or 5,
 1-53 Family Code, or an application for a protective order under
 1-54 Subchapter A, Chapter 7B, Code of Criminal Procedure;

1-55 (7) a legal action brought under Chapter 17, Business
 1-56 & Commerce Code, other than an action governed by Section 17.49(a)
 1-57 of that chapter;

1-58 (8) a legal action in which a moving party raises a
 1-59 defense pursuant to Section 160.010, Occupations Code, Section
 1-60 161.033, Health and Safety Code, or the Health Care Quality

2-1 Improvement Act of 1986 (42 U.S.C. 11101 et seq.);
2-2 (9) an eviction suit brought under Chapter 24,
2-3 Property Code;
2-4 (10) a disciplinary action or disciplinary proceeding
2-5 brought under Chapter 81, Government Code, or the Texas Rules of
2-6 Disciplinary Procedure;
2-7 (11) a legal action brought under Chapter 554,
2-8 Government Code; [~~or~~]
2-9 (12) a legal action based on a common law fraud claim;
2-10 or
2-11 (13) a legal malpractice claim brought by a client or
2-12 former client.
2-13 SECTION 2. Section 27.010(a), Civil Practice and Remedies
2-14 Code, as amended by this Act, applies only to an action commenced on
2-15 or after the effective date of this Act. An action commenced before
2-16 the effective date of this Act is governed by the law applicable to
2-17 the action immediately before the effective date of this Act, and
2-18 that law is continued in effect for that purpose.
2-19 SECTION 3. This Act takes effect September 1, 2023.

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