

1-1 By: Smithee, Jetton (Senate Sponsor - Hughes) H.B. No. 1255
 1-2 (In the Senate - Received from the House April 19, 2023;
 1-3 April 24, 2023, read first time and referred to Committee on State
 1-4 Affairs; May 5, 2023, reported favorably by the following vote:
 1-5 Yeas 11, Nays 0; May 5, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
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 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to limitations periods in arbitration proceedings.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Subchapter D, Chapter 16, Civil Practice and
 1-24 Remedies Code, is amended by adding Section 16.073 to read as
 1-25 follows:
 1-26 Sec. 16.073. APPLICABILITY OF LIMITATIONS PERIODS TO
 1-27 ARBITRATION. (a) A party may not assert a claim in an arbitration
 1-28 proceeding if the party could not bring suit for the claim in court
 1-29 due to the expiration of the applicable limitations period.
 1-30 (b) A party may assert a claim in an arbitration proceeding
 1-31 after expiration of the applicable limitations period if:
 1-32 (1) the party brought suit for the claim in court
 1-33 before the expiration of the applicable limitations period; and
 1-34 (2) the parties to the claim agreed to arbitrate the
 1-35 claim or a court ordered the parties to arbitrate the claim.
 1-36 SECTION 2. This Act takes effect immediately if it receives
 1-37 a vote of two-thirds of all the members elected to each house, as
 1-38 provided by Section 39, Article III, Texas Constitution. If this
 1-39 Act does not receive the vote necessary for immediate effect, this
 1-40 Act takes effect September 1, 2023.

1-41 * * * * *