

By: Guerra

H.B. No. 3129

A BILL TO BE ENTITLED

AN ACT

relating to redesignation of certain provisions describing court orders eligible for an interlocutory appeal.

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

SECTION 1. Section 51.014(a), Civil Practice and Remedies Code, as amended by Chapters 167 (S.B. 232), 528 (S.B. 6), and 813 (H.B. 2086), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

(a) A person may appeal from an interlocutory order of a district court, county court at law, statutory probate court, or county court that:

(1) appoints a receiver or trustee;

(2) overrules a motion to vacate an order that appoints a receiver or trustee;

(3) certifies or refuses to certify a class in a suit brought under Rule 42 of the Texas Rules of Civil Procedure;

(4) grants or refuses a temporary injunction or grants or overrules a motion to dissolve a temporary injunction as provided by Chapter 65;

(5) denies a motion for summary judgment that is based on an assertion of immunity by an individual who is an officer or employee of the state or a political subdivision of the state;

(6) denies a motion for summary judgment that is based in whole or in part upon a claim against or defense by a member of

1 the electronic or print media, acting in such capacity, or a person
2 whose communication appears in or is published by the electronic or
3 print media, arising under the free speech or free press clause of
4 the First Amendment to the United States Constitution, or Article
5 I, Section 8, of the Texas Constitution, or Chapter 73;

6 (7) grants or denies the special appearance of a
7 defendant under Rule 120a, Texas Rules of Civil Procedure, except
8 in a suit brought under the Family Code;

9 (8) grants or denies a plea to the jurisdiction by a
10 governmental unit as that term is defined in Section 101.001;

11 (9) denies all or part of the relief sought by a motion
12 under Section 74.351(b), except that an appeal may not be taken from
13 an order granting an extension under Section 74.351;

14 (10) grants relief sought by a motion under Section
15 74.351(1);

16 (11) denies a motion to dismiss filed under Section
17 90.007;

18 (12) denies a motion to dismiss filed under Section
19 27.003;

20 (13) denies a motion for summary judgment filed by an
21 electric utility regarding liability in a suit subject to Section
22 75.0022;

23 (14) denies a motion filed by a municipality with a
24 population of 500,000 or more in an action filed under Section
25 54.012(6) or 214.0012, Local Government Code; [~~or~~]

26 (15) makes a preliminary determination on a claim
27 under Section 74.353;

1 (16) [~~(15)~~] overrules an objection filed under
2 Section 148.003(d) or denies all or part of the relief sought by a
3 motion under Section 148.003(f); or

4 (17) [~~(15)~~] grants or denies a motion for summary
5 judgment filed by a contractor based on Section 97.002.

6 SECTION 2. This Act takes effect September 1, 2023.