

1-1 By: Hughes S.B. No. 896
 1-2 (In the Senate - Filed February 14, 2023; March 1, 2023,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 13, 2023, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; March 13, 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 the automatic stay of proceedings pending an
 1-22 interlocutory appeal of a denial of a motion to dismiss in an action
 1-23 involving the exercise of certain constitutional rights.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 51.014, Civil Practice and Remedies
 1-26 Code, is amended by adding Subsection (c-1) to read as follows:

1-27 (c-1) A denial of a motion to dismiss described by
 1-28 Subsection (a)(12) is not subject to the automatic stay under
 1-29 Subsection (b) if the order denying the motion states that the
 1-30 motion was:

1-31 (1) denied as not timely filed under Section
 1-32 27.003(b);

1-33 (2) determined to be frivolous or solely intended to
 1-34 delay under Section 27.009(b); or

1-35 (3) denied because the action is exempt under Section
 1-36 27.010(a).

1-37 SECTION 2. The change in law made by this Act applies only
 1-38 to an action filed on or after the effective date of this Act. An
 1-39 action filed before the effective date of this Act is governed by
 1-40 the law applicable to the action immediately before the effective
 1-41 date of this Act, and that law is continued in effect for that
 1-42 purpose.

1-43 SECTION 3. This Act takes effect September 1, 2023.

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