

By: Schofield

H.B. No. 831

A BILL TO BE ENTITLED

AN ACT

relating to the interlocutory appeal of certain orders regarding the constitutionality, effect, or enforceability of a statute.

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

SECTION 1. Section 51.014(a), Civil Practice and Remedies Code, is 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 the electronic or print media, acting in such capacity, or a person whose communication appears in or is published by the electronic or

1 print media, arising under the free speech or free press clause of
2 the First Amendment to the United States Constitution, or Article
3 I, Section 8, of the Texas Constitution, or Chapter 73;

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

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

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

12 (10) grants relief sought by a motion under Section
13 74.351(1);

14 (11) denies a motion to dismiss filed under Section
15 90.007;

16 (12) denies a motion to dismiss filed under Section
17 27.003;

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

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

24 (15) makes a preliminary determination on a claim
25 under Section 74.353;

26 (16) overrules an objection filed under Section
27 148.003(d) or denies all or part of the relief sought by a motion

1 under Section 148.003(f); [~~or~~]

2 (17) grants or denies a motion for summary judgment
3 filed by a contractor based on Section 97.002;

4 (18) determines that a statute violates the state or
5 federal constitution; or

6 (19) bars:

7 (A) a statute from taking effect or being
8 enforced; or

9 (B) a person, including a state agency or
10 political subdivision, from acting as if a statute is in full force
11 and effect.

12 SECTION 2. This Act takes effect September 1, 2025.