

BILL ANALYSIS

Senate Research Center
79R2149 DAK-D

H.B. 735
By: Nixon (Duncan)
State Affairs
4/27/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

During the 78th Legislature, Regular Session, 2003, legislation was enacted that moved Article 4590i, V.T.C.S., to Chapter 74, Civil Practice and Remedies Code. Now there are antiquated cross-references in the statutes.

H.B. 735 updates the citation to Chapter 74, Civil Practice and Remedies Code, in the Business & Commerce Code.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 26.01(b), Business & Commerce Code, as follows:

(b)(8) Provides that Subsection (a) applies to an agreement, promise, contract, or warranty of cure relating to medical care or results thereof made by a physician or health care provider as defined in Section 74.001 (Definitions), Civil Practices and Remedies Code, rather than Section 1.03, Medical Liability and Insurance Improvement Act of Texas.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.