

BILL ANALYSIS

C.S.H.B. 2989
By: Nixon
Civil Practices
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Section 16.061(a), Civil Practice and Remedies Code, states that a right of action of this state or a political subdivision of the state, is not held to the one, two, and four year statute of limitations (Sections 16.002-16.004, Civil Practice and Remedies Code) usually applicable to such claims. This allows government entities to file suit on a cause of action which would have been barred by the statute of limitations for others.

CSHB 2989 requires the state and political subdivisions to abide by statutory limitation periods for civil actions.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSHB 2989 amends Section 16.061 (a), Civil Practice and Remedies Code, by striking 16.002-16.004 to require government entities to file relevant suits within the limitations imposed by Sections 16.002-16.004, Civil Practice and Remedies Code.

EFFECTIVE DATE

September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute corrects a drafting error. The original bill deleted the reference to 16.001.