

By: Dutton

H.B. No. 1400

A BILL TO BE ENTITLED

AN ACT

relating to discovery procedures for a claim against a governmental entity under the Texas Tort Claims Act.

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

SECTION 1. Subchapter D, Chapter 101, Civil Practice and Remedies Code, is amended by adding Section 101.110 to read as follows:

Sec. 101.110. DISCOVERY RELATING TO PLEA TO JURISDICTION.

The supreme court shall adopt rules under which a claimant under this chapter may, if the defendant asserts a plea to the jurisdiction, obtain reasonable discovery to investigate whether circumstances exist that would confer jurisdiction on the court.

SECTION 2. This Act takes effect September 1, 2005.