

By: Raymond

H.B. No. 2346

A BILL TO BE ENTITLED

AN ACT

relating to requiring courts to report the number of frivolous lawsuits filed each year.

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

SECTION 1. Chapter 10, Civil Practice and Remedies Code, is amended by adding Section 10.007 to read as follows:

Sec. 10.007. NOTICE TO OFFICE OF COURT ADMINISTRATION; DISSEMINATION OF LIST. (a) A clerk of a court shall provide the Office of Court Administration of the Texas Judicial System a copy of any signed pleading or motion that a court has determined to constitute conduct violating Section 10.001.

(b) The Office of Court Administration of the Texas Judicial System shall maintain a list of litigants signing frivolous pleadings or motions in violation of Section 10.001 and shall annually send the list to the general counsel of the State Bar of Texas, who may use the information to determine whether an attorney involved in conduct violating Section 10.001 is subject to discipline by the state bar.

SECTION 2. This Act applies only to a pleading or a motion in an action commenced on or after the effective date of this Act. A pleading or motion in an action commenced before the effective date of this Act is governed by the law applicable to the pleading or motion immediately before the effective date of this Act, and that law is continued in effect for that purpose.

1           SECTION 3.   This Act takes effect September 1, 2005.