

Suspending limitations on conference committee jurisdiction,  
S.B. No. 334 (Duncan/B. Keffer)

By: Duncan

S.R. No. 1079

SENATE RESOLUTION

BE IT RESOLVED by the Senate of the State of Texas, 79th Legislature, Regular Session, 2005, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill 334 (the remedy provided for failure to disclose certain information in certain residential construction contracts) to consider and take action on the following matter:

Senate Rule 12.03(4) is suspended to permit the committee to add SECTIONS 1 and 3 to the bill to read as follows:

SECTION 1. Chapter 26, Civil Practice and Remedies Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. CERTAIN CLASS ACTIONS PROHIBITED

Sec. 26.151. FAILURE TO DISCLOSE CERTAIN INFORMATION IN RESIDENTIAL CONSTRUCTION CONTRACT. A cause of action under Section 27.007, Property Code, may not be the subject of a class action.

SECTION 3. The change in law made by Subchapter C, Chapter 26, Civil Practice and Remedies Code, as added by this Act, applies only to the certification of a class action on or after June 1, 2005. Certification of a class action before June 1, 2005, is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

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Explanation: The addition is necessary to ensure that on and after June 1, 2005, actions under Section 27.007, Property Code, are not maintained as class action suits.

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President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on May 29, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate