

Suspending limitations on conference committee  
jurisdiction, H.B. No. 1690 (Keel/R. West)

By: West

S.R. No. 1093

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 House Bill 1690 (common nuisance) to consider and take action on the following matters:

(1) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add the following language to Subsection (d), Section 125.004, Civil Practice and Remedies Code, as added by the bill:

The posting of a sign prohibiting the activity alleged is not conclusive evidence that the owner did not tolerate the activity.

Explanation: The added language is necessary to ensure that posting of a sign by a real property owner prohibiting the activity constituting a common nuisance alleged to have occurred does not conclusively establish that the owner did not tolerate the alleged activity.

(2) Senate Rules 12.03(3) and (4) are suspended to permit the committee to add the following language to Section 125.044, Civil Practice and Remedies Code, as amended by the bill:

(b-1) The posting of a sign prohibiting the activity alleged is not conclusive evidence that the owner did not

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tolerate the activity.

Explanation: The added language is necessary to ensure that posting of a sign by a real property owner prohibiting the activity constituting a common nuisance alleged to have occurred does not conclusively establish that the owner did not tolerate the alleged activity.

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President of the Senate

I hereby certify that the  
above Resolution was adopted by  
the Senate on May 29, 2005.

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Secretary of the Senate