

By: Hartnett

H.B. No. 2068

A BILL TO BE ENTITLED

AN ACT

relating to trial by special judge in civil and family law cases.

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

SECTION 1. Section 151.001, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 151.001. REFERRAL BY AGREEMENT. (a) On agreement of the parties, in civil or family law matters pending in a district court, statutory probate court, or statutory county court, the judge in whose court the case is pending may order referral of the case as provided by this chapter and shall stay proceedings in the judge's court pending the outcome of the trial. Any or all of the issues in the cases, whether an issue of fact or law, may be referred.

(b) A judge shall order referral of the case under Subsection (a) if the motion for referral states that there is no dispute among the parties as to any issue of fact or law in the case.

SECTION 2. Section 151.001, Civil Practice and Remedies Code, as amended by this Act, applies only to a motion for referral of a case to a special judge that is made on or after the effective date of this Act. A motion for referral made before the effective date of this Act is governed by the law in effect at the time the referral was made, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2007.