

By: Thompson

H.B. No. 2879

A BILL TO BE ENTITLED

AN ACT

relating to expert reports in certain civil actions.

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

SECTION 1. Section 74.351, Civil Practices and Remedies Code, is amended by adding subsections (d) and (e) to read as follows:

(d) the court may, for good cause shown after motion and hearing, extend any time period specified in Subsection (c) of this section for an additional 30 days. Only one extension may be granted under this subsection.

(e) Notwithstanding any other provision of this section, if a claimant has failed to comply with a deadline established by Subsection (c) of this section and after hearing the court finds that the failure of the claimant or the claimant's attorney was not intentional or the result of conscious indifference but was the result of an accident or mistake, the court shall grant a grace period of 30 days to permit the claimant to comply with that subsection. A motion by a claimant for relief under this subsection shall be considered timely if it is filed before any hearing on a motion by a defendant under Subsection (d) of this section.

SECTION 2. This Act takes effect September 1, 2007.