

By: Fraser

S.B. No. 1538

A BILL TO BE ENTITLED

AN ACT

relating to venue in civil actions under the Jones Act.

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

SECTION 1. Section 15.018, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 15.018. FEDERAL EMPLOYERS' LIABILITY ACT [~~AND JONES ACT~~]. (a) This section only applies to suits brought under the federal Employers' Liability Act (45 U.S.C. Section 51 et seq.) [~~or the Jones Act (46 U.S.C. Section 688)~~].

(b) All suits brought under the federal Employers' Liability Act [~~or the Jones Act~~] shall be brought:

(1) in the county in which all or a substantial part of the events or omissions giving rise to the claim occurred;

(2) in the county where the defendant's principal office in this state is located; or

(3) in the county where the plaintiff resided at the time the cause of action accrued.

SECTION 2. Subchapter B, Chapter 15, Civil Practice and Remedies Code, is amended by adding Section 15.0181 to read as follows:

Sec. 15.0181. JONES ACT. (a) This section applies only to suits brought under the Jones Act (46 U.S.C. Section 688).

(b) All suits brought under the Jones Act shall be brought:

(1) in the county in which all or a substantial part of

1 the events or omissions giving rise to the claim occurred;
2 (2) in the county where the defendant's principal
3 office in this state is located; or
4 (3) if Subdivisions (1) and (2) do not apply, in the
5 county where the plaintiff resided at the time the cause of action
6 accrued.

7 SECTION 3. The change in law made by this Act applies only
8 to an action commenced on or after the effective date of this Act.
9 An action commenced before the effective date of this Act is
10 governed by the law in effect immediately before the effective date
11 of this Act, and that law is continued in effect for that purpose.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2007.