

Rody  
Indur  
Joe  
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FLOOR AMENDMENT NO. \_\_\_\_\_



BY: Berman  
David Simpson  
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7/15/11

1 Amend C.S.S.B. No. 1717 (house committee printing) by  
2 adding the following appropriately number ARTICLE and  
3 renumbering subsequent ARTICLES and SECTIONS of the bill  
4 accordingly:

5 ARTICLE \_\_\_\_ . APPLICATION OF FOREIGN LAWS

6 SECTION \_\_.01. Title 6, Civil Practice and Remedies Code,  
7 is amended by adding Chapter 148 to read as follows:

8 CHAPTER 148. APPLICATION OF FOREIGN LAWS; SELECTION OF FOREIGN

9 FORUM

10 Sec. 148.001. DEFINITION. In this chapter, "foreign law"  
11 means a law, rule, or legal code of a jurisdiction outside of  
12 the states and territories of the United States.

13 Sec. 148.002. DECISION BASED ON FOREIGN LAW. A ruling or  
14 decision of a court, arbitrator, or administrative adjudicator  
15 on a matter arising under the Family Code may not be based on a  
16 foreign law if the application of that law would violate a right  
17 guaranteed by the United States Constitution or the constitution  
18 or a statute of this state.

19 Sec. 148.003. CHOICE OF FOREIGN LAW OR FORUM IN CONTRACT.

20 (a) A contract provision providing that a foreign law is to  
21 govern a dispute arising under the Family Code is void to the  
22 extent that the application of the foreign law to the dispute  
23 would violate a right guaranteed by the United States  
24 Constitution or the constitution of this state.

25 (b) A contract provision providing that the forum to  
26 resolve a dispute arising under the Family Code is located  
27 outside the states and territories of the United States is void  
28 if the foreign law that would be applied to the dispute in that  
29 forum would, as applied, violate a right guaranteed by the  
30 United States Constitution or the constitution of this state.

1           SECTION \_\_.02. (a) Section 148.002, Civil Practice and  
2 Remedies Code, as added by this article, applies only to a  
3 ruling or decision that becomes final on or after the effective  
4 date of this Act. A ruling or decision that becomes final  
5 before the effective date of this Act and any appeal of that  
6 ruling or decision are governed by the law in effect immediately  
7 before the effective date of this Act, and that law is continued  
8 in effect for that purpose.

9           (b) Section 148.003, Civil Practice and Remedies Code, as  
10 added by this article, applies only to a contract entered into  
11 on or after the effective date of this Act. A contract entered  
12 into before the effective date of this Act is governed by the  
13 law in effect immediately before that date, and that law is  
14 continued in effect for that purpose.