

By: Hartnett

H.B. No. 719

A BILL TO BE ENTITLED

AN ACT

relating to trial by special judge of certain matters.

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. 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 shall [~~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.

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

SECTION 3. This Act takes effect September 1, 2011.