

BILL ANALYSIS

H.B. 670
By: Flynn
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties believe that Texas should not allow the application of foreign law and foreign forum selection within a state court. H.B. 670 seeks to impose this prohibition.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 670 amends the Civil Practice and Remedies Code to prohibit a ruling or decision of a court, arbitrator, or administrative adjudicator from being based on a law, rule, or legal code of a jurisdiction outside of the states and territories of the United States, not including a law of a Native American tribe of a state or territory of the United States, if the application of the foreign law would violate a right guaranteed by the United States Constitution or the Texas Constitution. The bill voids a contract provision providing that a foreign law is to govern a dispute arising under the contract to the extent that the application of the foreign law to the dispute would violate such a guaranteed right. The bill voids a contract provision providing that the forum to resolve a dispute arising under the contract is located outside the states and territories of the United States if the foreign law that would be applied to the dispute in that forum would, as applied, violate a guaranteed right. The bill prohibits a court from granting a motion for forum non conveniens for an action commenced in Texas by a Texas resident if the foreign law that would be applied to the dispute in the forum to which the moving party seeks to have the action removed would, as applied, violate a guaranteed right.

EFFECTIVE DATE

September 1, 2015.