

By: Wray

H.B. No. 2211

A BILL TO BE ENTITLED

AN ACT

relating to agreed venue selection in civil actions.

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

SECTION 1. Sections 15.020(b) and (c), Civil Practice and Remedies Code, are amended to read as follows:

(b) An action arising from a major transaction shall be brought in a county if the party against whom the action is brought has agreed in writing that a suit arising from the transaction may be brought in that county. The parties to the action are not required to establish that the county is a county of proper venue under another provision of this chapter.

(c) Notwithstanding any other provision of this title, an action arising from a major transaction may not be brought in a county if:

(1) the party bringing the action has agreed in writing that an action arising from the transaction may not be brought in that county, and the action may be brought in another county of this state or in another jurisdiction; or

(2) the party bringing the action has agreed in writing that an action arising from the transaction must be brought in another county of this state or in another jurisdiction [~~and the action may be brought in that other county, under this section or otherwise, or in that other jurisdiction~~].

SECTION 2. Section 15.063, Civil Practice and Remedies

1 Code, is amended to read as follows:

2 Sec. 15.063. TRANSFER. (a) The court, on motion filed and
3 served concurrently with or before the filing of the answer, shall
4 transfer an action to another county of proper venue if:

5 (1) the county in which the action is pending is not a
6 proper county as provided by this chapter; or

7 (2) an impartial trial cannot be had in the county in
8 which the action is pending[~~;~~ ~~or~~

9 ~~[(3) written consent of the parties to transfer to any~~
10 ~~other county is filed at any time].~~

11 (b) The court, on a motion filed with the court at any time
12 before the trial commences, shall transfer the action to another
13 county if the written consent of all the parties to the transfer to
14 that county is filed with the motion. The parties to the action are
15 not required to establish that the county is a county of proper
16 venue under another provision of this chapter.

17 SECTION 3. The change in law made by this Act applies only
18 to an action filed on or after the effective date of this Act. An
19 action filed before the effective date of this Act is governed by
20 the law applicable to the action immediately before the effective
21 date of this Act, and that law is continued in effect for that
22 purpose.

23 SECTION 4. This Act takes effect September 1, 2015.