

BILL ANALYSIS

C.S.H.B. 3763
By: Moody
Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that, while the military is generally protected from suits to abate common nuisances, the complex nature of public-private partnerships has left others who perform federal functions unnecessarily exposed to such suits. C.S.H.B. 3763 seeks to address this issue by exempting certain activity exempted, authorized, or regulated by federal law from the application of certain common nuisance provisions.

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

C.S.H.B. 3763 amends the Civil Practice and Remedies Code to exempt an activity exempted, authorized, or regulated by federal law from the application of statutory provisions relating to the activities that constitute common nuisances.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3763 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.