

1-1 By: Smithee (Senate Sponsor - Creighton) H.B. No. 2776
1-2 (In the Senate - Received from the House May 8, 2017;
1-3 May 9, 2017, read first time and referred to Committee on State
1-4 Affairs; May 19, 2017, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 1;
1-6 May 19, 2017, sent to printer.)

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|------|----------------|-----|-----|--------|-----|
| 1-7 | COMMITTEE VOTE | | | | |
| 1-8 | | Yea | Nay | Absent | PNV |
| 1-9 | Huffman | X | | | |
| 1-10 | Hughes | X | | | |
| 1-11 | Birdwell | X | | | |
| 1-12 | Creighton | X | | | |
| 1-13 | Estes | X | | | |
| 1-14 | Lucio | | X | | |
| 1-15 | Nelson | X | | | |
| 1-16 | Schwertner | X | | | |
| 1-17 | Zaffirini | X | | | |

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 2776 By: Creighton

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the right of certain appellants to supersede a judgment
1-22 or order on appeal.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 22.004, Government Code, is amended by
1-25 adding Subsection (i) to read as follows:

1-26 (i) The supreme court shall adopt rules to provide that the
1-27 right of an appellant under Section 6.001(b)(1), (2), or (3), Civil
1-28 Practice and Remedies Code, to supersede a judgment or order on
1-29 appeal is not subject to being counter-superseded under Rule
1-30 24.2(a)(3), Texas Rules of Appellate Procedure, or any other rule.
1-31 Counter-supersedeas shall remain available to parties in a lawsuit
1-32 concerning a matter that was the basis of a contested case in an
1-33 administrative enforcement action.

1-34 SECTION 2. The Texas Supreme Court shall adopt the rules
1-35 required by Section 22.004(i), Government Code, as added by this
1-36 Act, before May 1, 2018.

1-37 SECTION 3. This Act takes effect September 1, 2017.

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