

By: Johnson of Harris

H.B. No. 4123

A BILL TO BE ENTITLED

AN ACT

relating to the amendment of an original petition in an action on a sworn account.

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

SECTION 1. Chapter 30, Civil Practice and Remedies Code, is amended by adding Section 30.022 to read as follows:

Sec. 30.022. AMENDMENT OF ORIGINAL PETITION IN ACTION ON SWORN ACCOUNT. (a) Notwithstanding the Texas Rules of Civil Procedure, a plaintiff is not required to amend an original petition in an action on a sworn account to reflect a payment on the account made after the petition is filed unless the total amount of all payments made after the petition is filed equals or exceeds 50 percent of the amount claimed in the petition.

(b) Notwithstanding Section 22.004, Government Code, the supreme court may not amend or adopt rules in conflict with this section.

SECTION 2. The change in law made by this Act applies only to an original petition filed on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2019.