

1-1 By: Huffman S.B. No. 827
 1-2 (In the Senate - Filed February 14, 2019; March 1, 2019,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 18, 2019, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; March 18, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Huffman	X			
1-8 Hughes	X			
1-9 Birdwell	X			
1-10 Creighton	X			
1-11 Fallon	X			
1-12 Hall			X	
1-13 Lucio	X			
1-14 Nelson	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the transfer of civil cases by the judicial panel on
 1-20 multidistrict litigation.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 74.162, Government Code, is amended to
 1-23 read as follows:

1-24 Sec. 74.162. TRANSFER OF CASES BY PANEL. Subject to Section
 1-25 74.1625 and notwithstanding [~~Notwithstanding~~] any other law [~~to the~~
 1-26 ~~contrary~~], the judicial panel on multidistrict litigation may
 1-27 transfer civil actions involving one or more common questions of
 1-28 fact pending in the same or different constitutional courts, county
 1-29 courts at law, probate courts, or district courts to any district
 1-30 court for consolidated or coordinated pretrial proceedings,
 1-31 including summary judgment or other dispositive motions, but not
 1-32 for trial on the merits. A transfer may be made by the judicial
 1-33 panel on multidistrict litigation on its determination that the
 1-34 transfer will:

1-35 (1) be for the convenience of the parties and
 1-36 witnesses; and

1-37 (2) promote the just and efficient conduct of the
 1-38 actions.

1-39 SECTION 2. Subchapter H, Chapter 74, Government Code, is
 1-40 amended by adding Section 74.1625 to read as follows:

1-41 Sec. 74.1625. PROHIBITED TRANSFER OF CASES.
 1-42 (a) Notwithstanding any other law, the judicial panel on
 1-43 multidistrict litigation may not transfer:

1-44 (1) an action brought under Subchapter E, Chapter 17,
 1-45 Business & Commerce Code, except an action specifically authorized
 1-46 by Section 17.50 of that code; or

1-47 (2) an action brought under Chapter 36, Human
 1-48 Resources Code.

1-49 (b) Notwithstanding Section 22.004, the supreme court may
 1-50 not amend or adopt rules in conflict with this section.

1-51 SECTION 3. The changes in law made by this Act apply to an
 1-52 action commenced on or after the effective date of this Act, or
 1-53 pending on that date, and for which the trial, or any new trial or
 1-54 retrial following a motion, appeal, or otherwise, begins on or
 1-55 after that date.

1-56 SECTION 4. This Act takes effect immediately if it receives
 1-57 a vote of two-thirds of all the members elected to each house, as
 1-58 provided by Section 39, Article III, Texas Constitution. If this
 1-59 Act does not receive the vote necessary for immediate effect, this
 1-60 Act takes effect September 1, 2019.

1-61 * * * * *