

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Leach

H.B. No. 2757

A BILL TO BE ENTITLED

AN ACT

relating to the rule of decision in a court of this state.

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

SECTION 1. Section 5.001, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 5.001. RULE OF DECISION. (a) The rule of decision in this state consists of those portions of the common law of England that are not inconsistent with the constitution or the laws of this state, the constitutions [constitution] of this state and of the United States, [and] the laws of this state, and case law precedents set by a court of this state.

(b) In any action governed by the laws of this state concerning rights and obligations under the law, the American Law Institute's Restatements of the Law are not controlling.

SECTION 2. This Act takes effect September 1, 2019.

ADOPTED

MAY 21 2019

*Atty. Gen.*  
Secretary of the Senate

By: Taylor

H.B. No. 2757

Substitute the following for \_\_.B. No. \_\_\_\_\_:

By: Zuffanti

C.S.H.B. No. 2757

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the rule of decision in a court of this state.

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

4 SECTION 1. Section 5.001, Civil Practice and Remedies Code,  
5 is amended to read as follows:

6 Sec. 5.001. RULE OF DECISION. (a) The rule of decision in  
7 this state consists of those portions of the common law of England  
8 that are not inconsistent with the constitution or the laws of this  
9 state, the constitution of this state, and the laws of this state.

10 (b) In any action governed by the laws of this state  
11 concerning rights and obligations under the law, the American Law  
12 Institute's Restatements of the Law are not controlling.

13 SECTION 2. This Act takes effect September 1, 2019.

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 21, 2019**

**TO:** Honorable Dennis Bonnen, Speaker of the House, House of Representatives

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2757** by Leach (Relating to the rule of decision in a court of this state.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Civil Practice and Remedies Code relating to the rule of decision in a state court. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect September 1, 2019.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** WP, SD, CMa, SLE, DA

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 14, 2019**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on State Affairs

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** **HB2757** by Leach (relating to the rule of decision in a court of this state.), **Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Civil Practice and Remedies Code relating to the rule of decision in a state court. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect September 1, 2019.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** WP, CMa, SLE, DA

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**May 10, 2019**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on State Affairs

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE:** HB2757 by Leach (Relating to the rule of decision in a court of this state.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Civil Practice and Remedies Code relating to the rule of decision in a state court. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect September 1, 2019.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** WP, CMa, SLE, DA

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 4, 2019**

**TO:** Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB2757** by Leach (Relating to the rule of decision in a court of this state.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Civil Practice and Remedies Code relating to the rule of decision in a state court. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect September 1, 2019.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council

**LBB Staff:** WP, SLE, DA