

House Bill 36
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 51.014(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) A person may appeal from an interlocutory order of a district court, county court at law, statutory probate court, or county court that:

- (1) appoints a receiver or trustee;
- (2) overrules a motion to vacate an order that appoints a receiver or trustee;
- (3) certifies or refuses to certify a class in a suit brought under Rule 42 of the Texas Rules of Civil Procedure;
- (4) grants or refuses a temporary injunction or grants or overrules a motion to dissolve a temporary injunction as provided by Chapter 65;
- (5) denies a motion for summary judgment that is based on an assertion of immunity by an individual who is an officer or employee of the state or a political subdivision of the state;
- (6) denies a motion for summary judgment that is based in whole or in part upon a claim against or defense by a member of the electronic or print media, acting in such capacity, or a person whose communication appears in or is published by the electronic or print media, arising under the free speech or free press clause of the First Amendment to the United States Constitution, or Article I, Section 8, of the Texas Constitution, or Chapter 73;
- (7) grants or denies the special appearance of a defendant under Rule 120a, Texas Rules of Civil Procedure, except in a suit brought under the Family Code;
- (8) grants or denies a plea to the jurisdiction by a governmental unit as that term is defined in Section 101.001;
- (9) denies all or part of the relief sought by a motion under Section 74.351(b), except that an appeal may not be taken from an order granting an extension under Section 74.351;

SENATE VERSION (CS)

SECTION 1. Section 51.014(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) A person may appeal from an interlocutory order of a district court, county court at law, statutory probate court, or county court that:

- (1) appoints a receiver or trustee;
- (2) overrules a motion to vacate an order that appoints a receiver or trustee;
- (3) certifies or refuses to certify a class in a suit brought under Rule 42 of the Texas Rules of Civil Procedure;
- (4) grants or refuses a temporary injunction or grants or overrules a motion to dissolve a temporary injunction as provided by Chapter 65;
- (5) denies a motion for summary judgment that is based on an assertion of immunity by an individual who is an officer or employee of the state or a political subdivision of the state;
- (6) denies a motion for summary judgment that is based in whole or in part upon a claim against or defense by a member of the electronic or print media, acting in such capacity, or a person whose communication appears in or is published by the electronic or print media, arising under the free speech or free press clause of the First Amendment to the United States Constitution, or Article I, Section 8, of the Texas Constitution, or Chapter 73;
- (7) grants or denies the special appearance of a defendant under Rule 120a, Texas Rules of Civil Procedure, except in a suit brought under the Family Code;
- (8) grants or denies a plea to the jurisdiction by a governmental unit as that term is defined in Section 101.001;
- (9) denies all or part of the relief sought by a motion under Section 74.351(b), except that an appeal may not be taken from an order granting an extension under Section 74.351;

CONFERENCE

House Bill 36
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

- (10) grants relief sought by a motion under Section 74.351(1);
- (11) denies a motion to dismiss filed under Section 90.007;
- (12) denies a motion to dismiss filed under Section 27.003; ~~[or]~~
- (13) denies a motion for summary judgment filed by an electric utility regarding liability in a suit subject to Section 75.0022; or
- (14) denies a motion filed by a governmental unit as defined by Section 101.001 of this code in an action filed under Section 54.012(6) or 214.0012, Local Government Code.

SECTION 2. Subchapter B, Chapter 54, Local Government Code, is amended by adding Section 54.0155 to read as follows:

Sec. 54.0155. EXPEDITED PROCEEDINGS FOR CERTAIN CIVIL ACTIONS. (a) A court shall expedite any proceeding, including an appeal in accordance with Subsection (b), related to a suit brought under this subchapter for the enforcement of an ordinance relating to dangerously damaged or deteriorated structures or improvements as described by Section 54.012(6).

(b) An appeal of a suit described by Subsection (a) is governed by the procedures for accelerated appeals in civil cases under the Texas Rules of Appellate Procedure. The appellate court shall render its final order or judgment with the least possible delay.

SENATE VERSION (CS)

- (10) grants relief sought by a motion under Section 74.351(1);
- (11) denies a motion to dismiss filed under Section 90.007;
- (12) denies a motion to dismiss filed under Section 27.003; ~~[or]~~
- (13) denies a motion for summary judgment filed by an electric utility regarding liability in a suit subject to Section 75.0022; or
- (14) denies a motion filed by a municipality with a population of 500,000 or more in an action filed under Section 54.012(6) or 214.0012, Local Government Code.

SECTION 2. Subchapter B, Chapter 54, Local Government Code, is amended by adding Section 54.0155 to read as follows:

Sec. 54.0155. EXPEDITED PROCEEDINGS FOR CERTAIN CIVIL ACTIONS. (a) A court shall expedite any proceeding, including an appeal in accordance with Subsection (b), related to a suit brought under this subchapter for the enforcement of an ordinance adopted by a municipality with a population of 500,000 or more relating to dangerously damaged or deteriorated structures or improvements as described by Section 54.012(6).

(b) An appeal of a suit described by Subsection (a) is governed by the procedures for accelerated appeals in civil cases under the Texas Rules of Appellate Procedure. The appellate court shall render its final order or judgment with the least possible delay.

CONFERENCE

House Bill 36
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 3. Section 214.001, Local Government Code, is amended by adding Subsection (s) to read as follows:

(s) A court shall expedite any proceeding, including an appeal in accordance with Section 214.0012, related to a substandard building determination under this section.

SECTION 4. Section 214.0012, Local Government Code, is amended by adding Subsection (i) to read as follows:

(i) An appeal under this section is governed by the procedures for accelerated appeals in civil cases under the Texas Rules of Appellate Procedure. The district court shall render its final order or judgment with the least possible delay.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.

SENATE VERSION (CS)

SECTION 3. Section 214.001, Local Government Code, is amended by adding Subsection (s) to read as follows:

(s) A court shall expedite any proceeding, including an appeal in accordance with Section 214.0012, related to a substandard building determination under this section by a municipality with a population of 500,000 or more.

SECTION 4. Section 214.0012, Local Government Code, is amended by adding Subsection (i) to read as follows:

(i) An appeal under this section for an action in which a municipality with a population of 500,000 or more is a party is governed by the procedures for accelerated appeals in civil cases under the Texas Rules of Appellate Procedure. The district court shall render its final order or judgment with the least possible delay.

SECTION 5. Same as House version.

CONFERENCE