

BILL ANALYSIS

Senate Research Center

H.B. 2950
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Jurisprudence
5/18/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas has a Judicial Panel on Multidistrict Litigation (MDL), appointed by the chief justice of the Texas Supreme Court. Current law allows the MDL panel to transfer multiple cases having a common question of fact to a single court for consolidated pretrial proceedings, furthering the efficient administration of justice.

H.B. 2950 revises the composition and designating authorities of the MDL panel, and addresses the cases eligible for transfer.

H.B. 2950 amends current law relating to the composition of and actions transferred by the judicial panel on multidistrict litigation.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 74.161(a), Government Code, as follows:

- (a) Provides that the judicial panel on multidistrict litigation (judicial panel) consists of five members designated from time to time by the Supreme Court of Texas, rather than by the chief justice of the Supreme Court of Texas. Includes among those eligible to be members of the panel former or retired court of appeals justices.

SECTION 2. Amends Section 74.1625(a), Government Code, as follows:

- (a) Provides that the judicial panel, notwithstanding any other law, is not authorized to transfer:
 - (1) an action brought by the consumer protection division of the attorney general's office under Subchapter E (Deceptive Trade Practices and Consumer Protection), Chapter 17 (Deceptive Trade Practices), Business & Commerce Code; or
 - (2) an action brought under Chapter 36 (Medicaid Fraud Prevention), Human Resources Code.

Deletes existing text providing that the judicial panel, notwithstanding any other law, is not authorized to transfer an action brought by the consumer protection division of the attorney general's office under Subchapter E, Chapter 17, Business & Commerce Code, except an action specifically authorized by Section 17.50 (Relief for Consumers) of that code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: upon passage or September 1, 2021.