

Amend CSHB 19 (house committee report) as follows:

(1) On page 8, strike lines 8 and 9 and substitute the following:

establish venue in a county in a division of the business court and the business court shall assign the action to that division. Venue may be established as provided by law or, if a written contract specifies a county as venue for the action, as provided by the contract.

(2) On page 8, strike lines 20 and 21 and substitute the following:

the court shall:

(1) if an operating division of the court includes a county of proper venue, transfer the action to that division; or

(2) if there is not an operating division of the court that includes a county of proper venue, at the option of the party filing the action, transfer the action to a district court or county court at law in a county of proper venue.

(3) On page 9, strike lines 1 through 10 and substitute the following in added Section 25A.006, Government Code, reletter remaining subsections of that section, and update any cross-references to those subsections accordingly:

(e) A party may not remove to a business court an action filed in a district court or county court at law in a county of proper venue that is not within an operating division of the business court.

(f) A party may file an agreed notice of removal at any time during the pendency of the action. If all parties to the action have not agreed to remove the action, the notice of removal must be filed:

(1) not later than the 30th day after the date the party requesting removal of the action discovered, or reasonably should have discovered, facts establishing the business court's jurisdiction over the action; or

(2) if an application for temporary injunction is pending on the date the party requesting removal of the action discovered, or reasonably should have discovered, facts establishing the business court's jurisdiction over the action, not

later than the 30th day after the date the application is granted, denied, or denied as a matter of law.

(g) The notice of removal must be filed with the business court and the court in which the action was originally filed. On receipt of the notice, the clerk of the court in which the action was originally filed shall immediately transfer the action to the business court in accordance with rules adopted by the supreme court, and the business court clerk shall assign the action to the appropriate division of the business court.

(4) On page 9, lines 22 and 23, strike ". On request by the judge under this subsection and after" and substitute "and request a hearing on the transfer request. After".