

BILL ANALYSIS

H.B. 3129
By: Guerra
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Section 51.014(a), Civil Practice and Remedies Code, was amended three times during the 87th Legislative Session, causing Subsection (a) to acquire three contextually different subdivisions that were all numbered (a)(15). This has resulted in confusion as lawyers who have filed appeals under Section 51.014 could not clearly indicate which one of the three (a)(15) provisions they were using. H.B. 3129 seeks to provide clarity through a nonsubstantive redesignation of those provisions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3129 reenacts and amends Section 51.014(a), Civil Practice and Remedies Code, as amended by Chapters 167 (S.B. 232), 528 (S.B. 6), and 813 (H.B. 2086), Acts of the 87th Legislature, Regular Session, 2021, to provide a nonsubstantive redesignation of the provisions amended by those chapters, relating to the authorization for a person to appeal from an interlocutory order of a district court, county court at law, statutory probate court, or county court that:

- makes a preliminary determination regarding whether a claim is a health care liability claim and requires an expert report;
- overrules an objection by the defendant to the sufficiency of an expert report or denies all or part of relief sought by a motion in a liability claim for causing exposure to a pandemic disease; or
- grants or denies a motion for summary judgment filed by a contractor in a liability claim for personal injury, property damage, or death arising from certain performance of construction or repair.

EFFECTIVE DATE

September 1, 2023.