

Amend CSHB 40 (house committee report) as follows:

(1) On page 21, strike lines 18 through 23, and substitute the following:

SECTION 43. Section 25A.001(14), Government Code, is amended to read as follows:

(2) On page 23, line 23, strike "(e),".

(3) On page 26, line 24, strike ", regardless of the amount in controversy".

(4) Strike page 26, line 25 through page 27, line 3.

(5) On page 28, lines 4 and 5, strike ", other than a claim described by Subsection (b)(9)(B)".

(6) On page 28, strike lines 7 through 9 and substitute the following:

(C) the Family Code;

(D) the Insurance Code; or

(E) Chapter 53 and Title 9, Property Code;

(7) On page 30, line 22, strike "Section 25A.006(a), Government Code, is" and substitute "Sections 25A.006(a) and (f), Government Code, are".

(8) On page 31, between lines 7 and 8, insert the following:

(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 later of:

(A) the date the party requesting removal of the action was served with process in accordance with rules adopted by the supreme court; or

(B) 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.

(9) On page 32, line 14, strike "remaining" and substitute "[~~remaining~~]".

(10) On page 33, line 20, between "request the" and "presiding", insert "administrative".

(11) On page 37, strike lines 7 through 26 and renumber subsequent SECTIONS of the bill accordingly.

(12) Strike page 44, line 25 through page 45, line 3 and substitute the following:

(d-1) Notwithstanding any other provision of this section or other law, a judge of a division of the business court who serves as administrative presiding judge under Section 25A.009 is entitled to an annual base salary from the state in the amount provided under Subsection (a) or (b) and an additional annual amount equal to the amount provided under Subsection (d) to a local administrative district judge for a number of district courts equal to the total number of business court judges.

(13) On page 45, strike lines 7 through 9 and substitute the following:

(2) Section 25A.007(b); and

(3) Section 25A.014(b).

(14) On page 45, between lines 9 and 10, add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly.

SECTION _____. Section 6(b), Chapter 380 (HB 19), Acts of the 88th Legislature, Regular Session, 2023, is repealed.

(15) On page 45, lines 14 and 15, strike "Except as provided by Section 25A.021, Government Code, as added by this Act, the" and substitute "The".