

BILL ANALYSIS

C.S.H.B. 2086
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Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill author has informed the committee that courts have faced challenges in applying the law uniformly with respect to vexatious litigants, due to procedural ambiguities and evolving litigation tactics. C.S.H.B. 2086 aims to enhance the efficiency and fairness of the legal system by refining the process for identifying and managing vexatious litigants and empower courts to proactively address frivolous litigation.

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

C.S.H.B. 2086 amends the Civil Practice and Remedies Code to authorize a court on its own motion, in a litigation on or before the 90th day after the date the defendant files the original answer or makes a special appearance, to conduct a hearing to determine whether to issue an order finding that a plaintiff is a vexatious litigant. This authority does not apply in a suit affecting the parent-child relationship.

Accordingly, the bill removes language specifying that a defendant is the only entity that can move for such a finding or has the burden of showing the requisite criteria for such a finding.

C.S.H.B. 2086 applies only to an action commencing on or after or pending on the bill's effective date.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 2086 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

While both the introduced and the substitute authorize a court on its own motion, in a litigation on or before a specified date, to conduct a hearing to determine whether to issue an order finding that a plaintiff is a vexatious litigant, the substitute includes a provision absent from the introduced prohibiting the court from conducting such a hearing on its own motion in a suit affecting the parent-child relationship.