

BILL ANALYSIS

C.S.H.B. 5067
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The 88th Legislature created the Fifteenth Court of Appeals and gave the court exclusive intermediate appellate jurisdiction over matters brought by or against the state, matters pertaining to the constitutionality or validity of a state statute or rule and the attorney general is a party to the case, and any other matter as provided by law. However, the bill author has informed the committee that, because legislation did not explicitly limit the court's jurisdiction, two separate cases arose from a defendant's appeal directly to the Fifteenth Court of Appeals, ultimately elevating the issue to the Texas Supreme Court. The Texas Supreme Court held that the Fifteenth Court of Appeals' jurisdiction extends only to categories of its exclusive jurisdiction set out in current law. C.S.H.B. 5067 seeks to address this issue in statute clearly and finally by prohibiting a party from filing a civil notice of appeal requesting assignment of the appeal to the Fifteenth Court of Appeals unless an applicable matter is within their exclusive intermediate appellate jurisdiction.

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. 5067 amends the Government Code to prohibit a party from filing a notice of appeal in a civil case requesting assignment of the appeal to the Court of Appeals for the Fifteenth Court of Appeals District unless the notice includes a matter arising out of or related to the case that is within the court's exclusive intermediate appellate jurisdiction. The bill applies only to a notice of appeal filed on or after the bill's effective date. A notice of appeal filed before that date is governed by the law in effect on the date the notice was filed, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 5067 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.

Whereas the introduced prohibited a civil notice of appeal filed in a trial court from being assigned to the Fifteenth Court of Appeals unless a matter being appealed falls within the court's exclusive jurisdiction, the substitute prohibits a party from filing a notice of appeal in a civil case requesting assignment of the appeal to that court unless the notice includes a matter arising out of or related to the case that is within the court's exclusive intermediate appellate jurisdiction.